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LEGISLATIVE HAPPENINGS

PRESIDENT SIGNS REVISED TUNA/ DOLPHIN LEGISLATION AFTER SENATE AND HOUSE UNANIMOUS ADOPTION

The Senate on July 30th unanimously passed the International Dolphin Conservation Program Act (S39/HR 408) 99-0 after a compromise was reached between proponents and opponents of the bill. (The House acted unanimously on July 31st to accept the Senate bill). The bill was signed into law by the President on August 15th (PL 105-42). *(The text of the Presidential statement is on page 7)* The original companion bill (HR 408) was passed by the House on May 21 by a vote of 262-166. Senate Commerce Committee Chairman John McCain (R-AZ) called the revised bill "a great victory for the environment." The compromise effectively delays implementation of the amended law for 18 months and calls for a fully funded three year study on the effects of encirclement on dolphins. (*The Senate on July 29th adopted a Managers amendment to the FY '98 Commerce-Justice-State Appropriations bill (S 1022) providing $3.8 million for the tuna-dolphin studies)*

Vice President Al Gore, Commerce Secretary William Daley, and Under Secretary for Oceans and Atmosphere Dr. D. James Baker called Senators to urge support for the bill. Dr. Baker testified strongly in favor of S 39 at a May 14th hearing of the Senate Oceans and Fisheries Subcommittee (Chairman Sen. Olympia Snowe, R-ME).

Sen. Snowe speaking on the Senate floor, explained that the current law resulted in excessively high bycatch of non-tuna species such as sharks and billfishes because of the use of the log and school sets rather than dophin sets targetted by the purse seine fisheries. The Maine Republican's remarks were echoed by Sen. Ted Stevens (R-AK), an original cosponsor of the bill. Sen. John Breaux (D-LA), also an original cosponsor, cautioned about the misuse of alternative "dolphin-safe" type labels.

Sen. John Kerry (D-MA), Ranking Subcommittee Democrat, called the revised bill "a fair compromise." The Massachusetts Democrat characterized the revised bill as providing the imposition of "sound science" to support the policy. Senate Minority Leader Tom Daschle (D-SD) said the compromise was handled in a "meaningful way."

Sen. Barbara Boxer (D-CA), who had threatened to filibuster the bill because of her belief that the bill would weaken current dolphin protection measures, said the compromise could have never been reached without the support of 45 Senators who told her they would have voted against cloture. The California Democrat said she would have preferred a three year study of the effects of encirclement on dolphins before considering implementation of the new standards contained in the bill, instead of 18 months as called for in the compromise legislation.

The legislation implements the Declaration of Panama, signed in October, 1995, by 13 nations, including the United States. Under this legislation, the voluntary International Dolphin Conservation Program (IDCP), established by the La Jolla Agreement in 1992 and administered by the Inter-American Tropical Tuna Commission (IATTC), will become an internationally binding instrument with more aggressive mortality limits and restrictions to protect dolphins in the Eastern Tropical Pacific Ocean (ETP). Implementation of the Declaration of Panama is dependent on the U.S. following through with its agreement to lift current embargoes against nations adhering to the IDCP, modifying the "dolphin safe" label to a performance standard (no observed mortality later amended to include serious injury) versus the current gear-based standard (no intentional chase or encirclement), and allowing dolphin-set yellowfin tuna to enter the U.S. market.

Under the compromise, encirclement would be acceptable under the dolphin-safe label provided that any dolphins inadvertently caught were not seriously injured or killed. The Department of Commerce is required to make a preliminary finding by March, 1999 on whether or not encirclement has a significant adverse impact on depleted dolphin stocks in the ETP. If there is a significant adverse impact, the United States would have to adhere to its current definition of "dolphin-safe."

SENATE UNANIMOUSLY APPROVES INCREASE IN NOAA FY 1998 BUDGET; $3.8 MILLION ADDED FOR TUNA/DOLPHIN CONSERVATION STUDY

The Senate on July 29th voted 99-0 in favor of final passage of (S 1022/ SRpt. 105-48), the Commerce, Justice, State Appropriations Fiscal Year 1998 bill which includes funding for NOAA. The bill includes $2.10 billion for NOAA. President Clinton requested $1.97 billion for NOAA in FY 1998, which is funded at $1.91 billion this year. "While we believe NOAA is doing essential work for America, sometimes we disagree with our House colleagues on the level of funding (The House Appropriations Committee mark was $1.86 billion). We intend to address this in conference, and we will go to conference with a strong bill," Appropriations Subcommittee Chairman Judd Gregg

(R- NH) said. His remarks were echoed by Ranking Subcommittee Democrat Ernest Hollings (D-SC).

A Managers' Amendment offered by Commerce-Justice-State Appropriations Subcommittee Chairman Judd Gregg (R-NH) provided up to $3.8 million for a study on the effects of intentional chase and encirclement on depleted dolphin stocks in the Eastern Tropical Pacific Ocean purse seine fishery. The 18-month study is to be done in accordance with the compromise language in Tuna/Dolphin legislation (S 39/HR 408) signed into law by the President on August 15th (PL 105-42).

In his opening statement on July 28th, Sen. Gregg said that "We have, for example, provided strong support for the National Oceanic and Atmospheric Administration (NOAA), which provides high-quality research and provides technical data to our economy." In particular,"the bill increases funding for the Coastal Zone Management Act, which is important to all coastal and Great Lakes States and provides funding for estuarine research. Since 75 percent of our Nation's population lives near the coastline, placing a priority on preserving our estuarine areas is important."

The New Hampshire Republican said that "the committee provides increased funding for the National Weather Service, also. Many of us are concerned that this agency has the resources necessary to ensure timely warning of severe weather, especially hurricanes and tornadoes."

There were two colloquies that touched on NOAA programs. Sen. Patty Murray (D-WA). urged that the Subcommittee leadership to direct the National Marine Fisheries Service, through the Information and Analyses, Resource Information account, to provide $250,000 to the Odyssey Maritime Discovery Center in Seattle. The Odyssey Center is a new educational learning center opening in July, 1998.

The second colloquy by the two Maine Senators focused on upgrading the Caribou Weather Office to a full Weather Forecast Office because the nearest modernized weather office is over 360 kilometers away. Sen. Susan Collins (R-ME) expressed her hope that NWS reorganization plan will result in the upgrading of the Northerm Maine office. Chairman Gregg agreed to work closely with the Maine Senators when the subcommittee receives the National Weather Service report and recommendations on a reorganization plan.

The bill included the $93 million above the Administration's request which was part of package approved on July 15th by the Appropriations Committee (Chairman Ted Stevens, R-AK) as part of the recommended FY '98 spending in the NOAA Operations, Research and Financing (ORF) account. It recommended significant increases above the Administration's request in the National Ocean Service (NOS) "Acquisition of Data" account and "Ocean Assessment program," and the National Marine Fisheries Service (NMFS) "Information Collection & Analysis" account.

The Committee did accommodate the Administration's request for funding for the South Florida Ecological Restoration Initiative. More than half the funds were Congressionally designated to develop a National Coral Reef Institute in Florida.

The Senate also recommended funding levels above the President's request for the Office of Oceanic and Atmospheric Research (OAR), the National Weather Service (NWS) and the National Environmental Satellite, Data, and Information Service (NESDIS). The full Committee endorsed Ranking Subcommittee Democrat of South Carolina Sen. Ernest Hollings' request to increase funding for the National Weather Service by more than $22 million.

Significantly, the Committee recommended full funding for the NOAA Operations and Research Center building at the Goddard Space Center in Greenbelt, MD. It also increased the funding for Sea Grant from the requested $51 million to $58 million. The full Committee added a provision to spend $4 million for the renovation and maintenance of the vessel RELENTLESS. NESDIS' Ocean Remote Sensing program received a $1.2 million boost over the Administration's request of $3.8 million.

The Senate Committee did not provide NOAA with all of its requested funds, however. Most significantly, the Committee did not accommodate NOAA's request for $18 million for the Clean Water Initiative. It also chose not to fund the Global Observations to Benefit the Environment (GLOBE) program.

The Senate added monies that were not requested by the Administration in a number of areas: zebra mussel research, summer flounder, a crab license buyback program in Washington State and oyster disease research all would receive funding under the Committee's recommendation.

A full detailed account of the NOAA portions of the Senate-passed Commerce-Justice-State Appropriations bill is available on the Internet. The excerpt includes specific information about each of NOAA's line and staff offices. It can be accessed at *http://www.noaa.gov/noaa-ola*

U.S. BANS BLUEFIN TUNA IMPORTS FROM THREE NATIONS FISHING IN VIOLATION OF TUNA CONVENTION

The United States is prohibiting all imports of Atlantic bluefin tuna caught by vessels from Panama, Honduras and Belize because the fishing activities of the three countries are undermining international efforts to manage and conserve the species, officials of the National Marine Fisheries Service said on August 21st. This is the first time that the United States has implemented internationally agreed sanctions against countries found to violate conservation rules of the International Commission for the Conservation of Atlantic Tunas (ICCAT). The U.S. action will ban bluefin imports from these three countries.

HOUSE APPROPRIATION COMMITTEE RECOMMENDS 6 PERCENT CUT IN NOAA PROGRAMS; HOUSE RULES COMMITTEE EXPECTED TO REPORT BILL FOR IMMINENT FLOOR ACTION

The House Appropriations Committee (Chairman Bob Livingston, R-LA) on July 22nd recommended a 6.3 percent reduction in NOAA programs below the FY 1998 President's request. The Committee mark contained in HR 2267/HRpt. 105-207 provided $1.860 billion for all NOAA programs compared with the $1.978 billion requested by the Administration. Commerce, Justice, State AppropriatonsSubcommittee chairman Harold Rogers (R-KY) offered language stating that the Committee "expects the National Weather Service (NWS) to continue operating and maintaining all data buoys and Coastal Marine Automated Network (C-MAN) stations currently funded by the NWS in fiscal year 1997."

(*The House Rules Committee (Chairman Gerald Solomon, R-NY) was expected to report the bill to the House floor on September 8th under an "Open Rule," permitting unlimited amendments on the House floor.)*

The bill includes language allowing NOAA to collect additional fees to recover some of the costs of administering the aeronautical charting program, slated to be transferred to the Department of Transportation in FY 1999. The Committee said it was "concerned about NOAA's lack of progress in addressing the serious budgetary and financial problems." It, therefore, directed NOAA to submit no later than December 1st an operating plan for FY 1998 funds and provide a progress report on developing a revised budget structure, shortly after passage of the bill.

In addition, the NOAA Corps strength was capped at 270 commissioned officers as of September 30, 1998 or 17 officers less than current strength. The President's budget assumes the elimination of the Corps by that date. The budget zeroes out the current $6 million funding for the Global Observations to Benefit the Environment (GLOBE) program, requested at $7 million.

Here are other highlights:

National Ocean Service--Includes a base transfer of $14.4 million and 129 full-time equivalents to the Federal Aviation Administration for the aeronautical charting program, as requested by the Inspector Generals of the Departments of Commerce and Transportation. The budget assumes that the transfer will be completed sometime in Fiscal Year 1999. The Committee mark includes an increase of $7.9 million above the President's request for mapping and charting because of "the Committee's continued commitment to the navigation safety programs of the National Ocean Service." $13.9 million was provided exclusively for contracting out with the private sector for data acquisition needs. Also, $8 million was provided for the Administration's Clean Water Initiative, including a $2 million set aside for the "Community Right to Know Initiative" to electronically provide water quality and pollution data on coastal waters to local communities. $1.3 million is set aside for the restoration of South Florida Ecosystems. The Committee asked for additional emphasis on controlling harmful algal blooms. A study of the National Marine Sanctuary Program by the National Academy of Sciences is included in the $14 million recommendation for the sanctuaries program.

National Marine Fisheries Service--Orders a study of sea turtle recovery efforts, including a standardized statistical Sea Turtle Stranding Network. Requires the Secretary of Commerce to submit an implementation plan to establish a shrimp-turtle panel, with half of the members from industry , to review existing biological opinions on shrimp fishing-turtle interactions. Also, in the Gulf of Mexico, the Committee orders the fisheries service to immediately implement an independent working group recommended changes to current methods of red snapper bycatch analyses. and $800,000 is allocated for the study of nearshore Atlantic bluefish stocks. The Fisheries Service is also expected to investigate the impacts of California sea lions and harbor seals on salmons and the West Coast ecosystem. The Committee also expects NOAA to include as a priority the protection of high-risk consumers from naturally occurring bacteria associated with raw molluscan shellfish.

Oceanic and Atmospheric Research--The Committee expresses its desire that the Climate and Global Change program increasingly focus on the El Nino and other near-to mid-term climatic events. The Committee provides $1 million more than requested for the National Sea Grant College Program ($55.3 million). NOAA is expected to continue to fund oyster disease and zebra mussel research at not less than the levels provided in Fiscal Year 1995 with an additional $1 million for the Gulf of Mexico Oyster Initiative. Under Marine Prediction Research, $1 million is set aside for aquatic nuisance research under the National Invasive Species Act. Under Acquisition of Data, NOAA is directed to use $2.6 million to contract with the University-National Oceanographic Laboratory System (UNOLS) fleet to meet NOAA's oceanographic ship requirements.

National Weather Service--Provides $5.8 million above the Administration's request for Local Warnings and Forecasts/ Base Operations ($313.8 million). "The Committee is aware that the Secretary of Commerce has recently ordered a sixty day review of NWS operational and budgetary requirements to ensure that the core missions of the NWS are provided for. The Committee intends to work closely with the Department, NOAA, and NWS as this review is completed to ensure that a modernized weather service is fully supported." The Committee also expected NWS to make available its existing basic data and information to the agricultural community even though NWS no longer provides specialized agricultural forecasts. The existing system of data buoys and coastal marine automated network stations is expected to be maintained pending completion of a current review. The recommendation does not include funding for the NOAA radiosonde network replacement program.

National Environmental Satellite, Data and Information Service--The Committee expects a report by late winter on current polar satelliteconvergence program (NPOESS) plan and funding profile which details the operational benefits and cost savings to be achieved from convergence.

Capital Assets Acquisitions--The Committee supports the successful completion of the Advanced Weather Interactive Processing System (AWIPS) and expects to be fully consulted

prior to any decision to procure and additional AWIPS systems beyond the initial 25 agreed to as part of the limited deployment decision in January, 1997. The Committee provided $15.2 million for the relocating of the Tiburon, CA fisheries laboratory to Santa Cruz. The Committee refused to fund the $12.5 million requested to begin planning and design work for the NOAA Operations and Research Center building at the Goddard Space Center in Greenbelt, MD.

For a full account of NOAA excerpts from the House Appropriations Committee Report (HRpt 105-207/HR 2267) please refer to the NOAA Legislative Affairs Homepage at:

http://www.noaa.gov/noaa-ola

STRIPED BASS CONSERVATION ACT PASSES HOUSE BY 399-8; RESOURCES COMMITTEE CHAIRMAN CALLS IT "MANAGEMENT SUCCESS"

The Atlantic Striped Bass Conservation Act (HR 1658) passed the House on July 8th under Suspension of the Rules by a vote of 399-8. The measure requires East Coast states to comply with a management plan conserving the species, including those within the 360-kilometer Exclusive Economic Zone. The bill calls for increased public input into the preparation of striped bass management plans, authorizes a study of the fish population and how the species may be affected by environmental changes. The Chairman of the Fisheries Conservation, Wildlife and Oceans Subcommittee, Rep. James Saxton (R-NJ), who introduced the legislation on May 16th, said that prior to enactment of the original legislation, striped bass nearly disappeared because of heavy fishing pressure, inconsistent State management policies, and pollution. "Congress responded by enacting the Atlantic Striped Bass Conservation Act, which enforced a single management plan throughout the East Coast states. This allowed fisheries managers to take the action that was needed to end overfishing and restore the population." Resources Committee Chairman Don Young (R-AK) said striped bass harvests plummeted from 6.7 million kilograms in 1973 to 1.5 million kgs in 1983. With passage of the 1984 law and "after 15 years of careful management, the striped bass population has fully recovered to pre-decline levels. This is a major fishery management success."

Rep. Frank Pallone (D-NJ) told his colleagues that "the implementation of the Federal-State partnership embodied in the Striped Bass Act has restored the striper to its former glory as one of the most important sport and commercial fisheries on the East Coast." Rep. William Delahunt (D-MA) said the Act "has been astonishingly successful." Rep. John Peterson (R-PA) said "this program has succeeded beyond any expectations." There was no immediate explanation of what prompted the eight Members to cast no votes, but it is believed that it was not based on the bill's substance.

HOUSE PASSES ATLANTIC HERRING/MACKEREL TO LIMIT EAST COAST FACTORY TRAWLERS

HR 1575, which places a moratorium on large fishing vessels fishing for Atlantic herring or Atlantic mackerel within the United States Exclusive Economic Zone, passed the House on July 28th under Suspension of the Rules. It was introduced by House Fisheries Conservation, Wildlife, and Oceans Subcommittee Chairman James Saxton (R-N.J.). The legislation was introduced because of concern regarding the status of herring and mackerel stocks and because of information that there is an effort to bring a factory trawler to East Coast waters to fish for these two underutilized species. The owners of the New England small boat fleet and leaders of economically depressed fishing ports are concerned that the factory trawler will overexploit these two underutilized species. Sen. Jack Reed (D-RI) introduced counterpart legislation (S 1035) on July 17th. It was referred to the Commerce Committee.

The moratorium would not be lifted until (1) the National Marine Fisheries Service has completed a new population survey of the abundance of the discrete spawning stocks of Atlantic herring and Atlantic mackerel; and (2) the Secretary of Commerce has approved and implemented fishery management plans developed by the appropriate regional fishery management council for Atlantic herring and Atlantic mackerel, which specifically allow large fishing vessels to participate in those fisheries. A "large vessel" is defined as 49.5 meters in length powered by an engine of more than 3,000 horsepower.

In his remarks on the issue at a June 26th hearing of the House Resources Fisheries Conservation, Wildlife and Oceans Subcommittee (Chairman James Saxton, R-NJ), Mr. Schmitten said "I would like to state clearly at the outset that the Agency's concern is for conservation and management of these valuable resources for the overall benefit of the nation. We feel it is important to move forward in the management process through the Council system set up under the Magnuson-Stevens Fisheries Conservation and Management Act. The Mid-Atlantic and New England Fishery Management Councils must move forward expeditiously to ensure conservation measures are in place to safeguard these resources."

Mr. Schmitten added that "the Councils are the fora for these discussions as determined by the Magnuson-Stevens Act. We will continue to work very closely with the Councils to fulfill our joint mandate under the law to conserve and manage our valuable marine resources. I have every reason to believe that will be successful in this endeavor."

SENATE AND HOUSE ADOPT RESOLUTIONS CONDEMNING CANADA FOR FAILING TO QUICKLY END BLOCKADE OF ALASKAN FERRY BY ANGRY SALMON FISHERMEN

The Senate by 81-19 adopted a resolution (SRes 109) introduced by Sen. Frank Murkowski (R-AK) July 23rd condemning the government of Canada for its failure to quickly end the almost three day blockade of the Alaskan ferry, Malaspina. The resolution was cosponsored by fellow Alaskan Republican Ted Stevens, Senate Foreign Relations Chairman Jesse Helms (R-NC), and Sen. Slade Gorton (R-WA). The resolution asks the government of Canada to arrange for compensation for the losses incurred by 135 passengers aboard the ferry which was also carrying 88 vehicles, freight, and mail. Unless Canada adopted a long-range policy to prevent future blockades, the U.S. Coast Guard might have to escort U.S.

vessels transiting Canadian territorial waters, Senator Murkowski said.

HConRes 124 passed the House under Suspension of the Rules on July 29th. It was introduced by Resources Committee Chairman Don Young (R-AK). The House resolution described the ferry blockage as "illegal aggression." It calls on the President to "use all necessary and appropriate means to compel the Government of Canada to prevent any further illegal or harassing actions."

According to press accounts, the ferry was surrounded by as many as 300 small fishing vessels on the morning of July 19th after it made a previously scheduled stop at Prince Rupert, BC en route from Bellingham, WA to Ketchikan, AK. Canadian fishermen claim Alaskan fleets are netting prized sockeye salmon as they swim in the open ocean toward British Columbia spawning grounds, in violation of the 1985 treaty on Pacific salmon. Canadians charge Alaska's vessels have caught so many sockeye this year that the breeding population might not recover. Alaskan fishermen deny the charge and say they are fishing legally for the more common and less valuable pink salmon, and any sockeye along the way is merely incidental.

The blockade disbanded on the evening of July 21st after a Canadian federal court issued an injunction sought by the state of Alaska. Additionally, according to press reports, Canadian Minister of Fisheries and Oceans David Anderson promised local fishing leaders that his government would increase pressure on the United States to reopen treaty negotiations. Sen. Murkowski was critical of Minister Anderson for not directly asking the fishermen to end the blockade.

NATIONAL SEA GRANT COLLEGE PROGRAM ACT PASSES HOUSE BY 422-3 VOTE

The National Sea Grant College Program Act of 1997 (HR 437) passed the House 422-3 on June 18th. The measure was enacted after an unanticipated effort by Reps. James Shadegg (R-AZ) and George Gekas (R-PA) to amend the bill to prevent another shutdown of the federal government was ruled non-germane. After an objection was raised by Rep. Sam Farr (D-CA), Acting Speaker Rep. James Rogan (R-CA) ruled the amendment, which would have gone into effect if no federal budget was adopted, non-germane and, therefore the amendment, was immediately dropped from further consideration. Twenty Members spoke in favor of passage of the bill from both sides of the aisle.

Three other floor amendments were adopted without objection:

—Restoring the International portion of the National Sea Grant College program—supported by the Office of Management and Budget—(by Rep. Sam Farr, D-Ca));

—Authorizing an additional $1 million for each of the next three fiscal years to study the human health related effects of oyster diseases (Rep. Billy Tauzin, R-LA));

—A "Buy America" provision (by Rep. James Traficant, D-OH)).

The bill, which authorizes $166 million in spending over next three fiscal years, is the product of a compromise between the Resources and Science Committees. Both had their own versions of the bill. HR 437 as enacted is similar to the bill reported out of the Fisheries Resources, Wildlife, and Oceans Subcommittee (Chairman Jim Saxton, R-NJ) on March 5th. The Science Committee made several significant changes to the bill when it met on April 16th.

The substitute amendment passed by the House is the product of discussions between the staffs of the Resources and Science Committees. The Science Committee was particularly pleased with additional provisions requiring scientific peer reviews of grant proposals and spending caps on administrative expenses.

The House floor debate, in fact, was a resounding endorsement of the compromise with 20 Members speaking in favor of HR 437, including Science Committee Chairman James Sensenbrenner (R-WI) and Ken Calvert (R-CA), Chairman of the Science Energy and Environment Subcommittee. However, the Ranking Subcommittee Democrat Rep. Tim Roemer (IN) criticized the Administration for failing to recommend funds for zebra mussel and invasive species research in the bill. In fact, seven Great Lakes states Members—from New York to Wisconsin—rose to emphasize the significant damage caused by zebra mussels to the power plant and recreational boating industry and to urge the need for intensive Sea Grant research to control the pervasive infestation. The bill now includes a specific zebra mussel earmark.

The Saxton substitute passed by the House provides an FY '98 authorization at $54.3 million, FY '99 at $55.4 million, FY '00 level at $56.5 million. The President's request for FY '98 is $50.2 million. The substitute also authorizes that up to $2.8 million annually be made available from the authorized funding ceilings for competitive grants for university research on the zebra mussel program. It additionally authorizes up to $2 million for oyster disease research. The bill orders the Secretary of Commerce within six months of enactment to establish merit review guidelines of grants and contract proposals from Sea Grant institutions.

The substitute amendment dropped several significant provisions contained in the Science Committee proposal including repealing the postdoctoral Knauss Fellowship program and Buy American provisions (later restored on the floor). It also reverted to a three-year authorization and endorsed funding levels originally recommended by the Resources Committee, instead of the five years added in the Science Committee bill. The requirement that Sea Grant Institutions be "recognized for scientific excellence" inserted by the Science Committee was deleted in the substitute bill.

HOUSE ADOPTS REPORT RECOMMENDING STUDY OF POSSIBLE TRANSFER OF DEFENSE DOPPLER WEATHER RADARS TO NATIONAL WEATHER SERVICE

As part of final passage of the National Defense Authoriza-

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SENATE COMMERCE COMMITTEE CHAIRMAN INTRODUCES NOAA CORPS DISESTABLISHMENT LEGISLATION

On June 11th Sen. John McCain (R-AZ), Chairman of the Commerce, Science, and Transportation Committee introduced legislation (S 877) to disestablish the NOAA Corps. The bill was referred to the Commerce Committee. It would implement a recommendation made by the Vice President's National Performance Review. The Department states that the legislative proposal would result in a net savings to the Federal government of $24.6 million for Fiscal Years 1998-2002.

Essential NOAA Corps functions would be assumed by civilianized positions. NOAA estimates that at the time of disestablishment there will be 290 officers within the Corps. Of those officers170 will be eligible for conversion to civilian service and 120 will retire. NOAA will determine how many of the 120 vacancies created by retirement need to be filled. Officers with less than 15 years service will be encouraged to convert to civilian status through a "conversion payment" greater than the payment the officer would receive if involuntarily separated. Officers with more than 15 years service will be retired, but will be eligible to compete for advertised vacancies. Additionally, the NOAA Corps retirement program will be transferred to the Navy.

HOUSE RESOURCES COMMITTEE MARKS UP BILL AUTHORIZING CERTAIN NOAA PROGRAMS

The House Resources Committee (Chairman Don Young, R-AK) on June 11th reported HR 1278, "The Oceanographic and Atmospheric Research Authorization Act of 1997," authorizing certain NOAA programs for FY '98 and '99. Earlier versions of the bill were reported by the Fisheries Conservation, Wildlife and Oceans (FW&O) Subcommittee of Resources on May 22nd, and by the House Science Committee April 16th.

The full committee adopted one amendment, by Rep. Ken Calvert (R-CA), to the bill as reported May 22nd by the FW&O Subcommittee. The Calvert amendment reduces authorized funding levels to those previously reported by the Science Committee for Executive Direction and Administration ($18.2 million in FY '98 and $17.3 million in FY '99, compared to the Administration request for $19.9 million), and for Central Administrative Support ($31.3 million in FY '98 and $29.7 million in FY '99, compared with the Administration request for $32.3 million).

During the FW&O subcommittee markup all provisions of the Science Committee bill over which Resources asserts exclusive jurisdiction were stricken, including the NOAA Corps, fleet, navigation-related programs, coastal and estuarine monitoring and assessment, and data acquisition for the National Ocean Service. Compared with HR 1278 as reported by the Science Committee, the bill authorizes an additional $2 million for Arctic research, plus another $2 million to the Ocean and Great Lakes Research authorization; and funds Office of Oceanic and Atmospheric Research data acquisition at $15.4 million ($2.5 million above the Science report level).

SCIENCE COMMITTEE REPORTS SPACE SUBCOMMITTEE MARKED UP SPACE COMMERCIALIZATION LEGISLATION

The House Science Committee (Chairman James Sensenbrenner (R-WI) on June 18th reported legislation (HR 1702) to streamline the process and promote commercialization of space. The House Science Committee's Space and Aeronautics Subcommittee (Chairman Dana Rohrabacher, R-CA) on June 12th had marked up the legislation. During the subcommittee mark up, two amendments were offered, a Managers amendment and one specific to the National Aeronautics and Space Administration funding of the Commercial Space Centers. All of the amendments were agreed to by voice vote without objection and were reported out of the subcommittee. The Managers amendment is considered a demonstration of good faith to address some of the concerns raised by the agencies and to continue to work cooperatively with the Administration to resolve concerns. The California Republican vowed to work with the Senate to insure that the President will have a bill to sign by the end of the first session.

Dr. D. James Baker, Under Secretary for Oceans and Atmosphere, testified on June 4th before the House Science Committee's Space and Aeronautics Subcommittee on HR 1702. Chairman Dana Rohrabacher (R-CA) and Ranking Democratic Member Rep. Bud Cramer (D-AL) convened the hearing to receive testimony about the licensing of commercial remote sensing systems.

DEFENSE, INTERIOR, ENERGY, AGRICULTURE, EPA AND TRANSPORTATION FY 1998 APPROPRIATIONS BILLS TOUCH ON NOAA PROGRAMS

NOAA interagency programs and issues have been mentioned in several Fiscal Year 1998 appropriations bills now wending their way through Congress. The highlights include:

Energy and Water: The Senate Report (SRpt 105-44) filed on July 10th specifically forbids the Army Corps of Engineers drawing down Idaho's *John Day Reservoir*. Proposals to draw down the reservoir in order to provide additional water flow to aid salmon migration to the ocean and thus further the efforts to preserve endangered Northwest Pacific salmon, have generated opposition from Members concerned about the possible negative economic impacts of drawn down. However, on final passage, the Senate adopted an amendment to provide funds for the continuation of the cost-shared salmon-friendly turbine program. The amount recommended supports continued improvements to juvenile fish bypass activities including extended length screens, and electronic smolt monitoring. Funding is also included to complete the *John Day* passive integrated transponder tag detector facility. The Committee also provided $117 million for Columbia River Fish Mitigation in Washington State, Oregon, and Idaho.

The Committee provided a $4 million increase (total of $6.6 million) to continue aquatic plant control, $2.5 million for zebra mussel research by the Corps of Engineers, and $10 million for the Everglades and south Florida ecosystem restoration.

Agriculture: The Senate Report (SRpt. 105-51) filed on July 17th provided $14.5 million for research into a replacement for methyl bromide, a major contributor to atmospheric ozone depletion. The Committee also encouraged continued purchases of surplus canned pink salmon, pouched pink salmon, and salmon nuggets for donations to the national school lunch program. The University of North Carolina was provided $200,000 to conduct additional research toward repopulation of depleted fish stocks off the Atlantic coast.

Defense--The Senate Report (SRpt. 105-45) filed July 10th provided $7.5 million for the National Oceanographic Partnership Program to help reduce the backlog. The Committee also allocated $500,000 for the Navy's cooperative marine mammal research program. The joint Polar Orbiting Satellite Program NPOESS) with NOAA was provided $51.5 million.

Interior--The House Report (HRpt. 105-163) filed on July 1st allocated $300,000 a Washington State regional fisheries enhancement group initiative. The House Committee expects the Fish and Wildlife Service to provide technical assistance to private landowners and dam owners who may have an interest in mitigating the negative impacts on fish and wildlife resources. The Endangered Species Act program is provided $76 million or $2.7 million below the Administration request . "The Committee expects the Fish and Wildlife Service to pursue aggressively its reclassification program and to downlist and delist species as quickly as possible."

Environmental Protection Agency, National Aeronautical and Space Administration, and National Science Foundation--The House Report (HRpt. 105-175) passed on July 6th provides a $5 million increase in ozone related research with the emphasis on health effects. The Committee remains concerned about the ocean disposal of dredged materials and supports cost-effective and environmentally safe alternatives. The Committee set aside $250,000 for non-indigenous species dispersal barrier in the Chicago Sanitary and Ship Canal, as part of the National Invasive Species Act.

The Committee recommends that NASA consider support for an institute for oceanic seasonal variability studies, including the study of the El Nino/Southern Oscillation.

The National Science Foundation was directed to complete a study on the proposal to create a non-regulatory National Institute for the Environment.

Transportation--An amendment to S 1048 on the Senate floor on July 30th by Democratic South Dakota Senators Tim Johnson and Tom Daschle directed the Secretary of Transportation to cooperate with the Secretary of Commerce to ensure that the Coast Guard geographic positioning systems operated under the Nationwide Differential Global Positioning System (NDGPS) are compatible with NOAA's Continuously Operating Reference Station system. Also, that the two departments investigate the use of NDGPS reference stations for NOAA's Global Positioning System Integrated Precipitable Water Vapor System.

HOUSE RESOURCES SUBCOMMITTEE MARKS UP CORAL REEFS BILL

The House Resources Fisheries Conservation, Wildlife and Oceans Subcommittee (Chairman James Saxton, R-NJ) marked up on July 31st, HR 2233, the Coral Reef Conservation Act of 1997. The bill was introduced on July 23rd and would establish a coral reef conservation assistance program with a dedicated coral reef conservation fund in the Treasury to allow the Secretary of Commerce to provide financial assistance grants for projects that promote the conservation, protection, assessment, research and management of coral reef ecosystems and coral reef resources.

Regarding other coral reef related legislation, the Senate did not pass HConRes 8, a resolution expressing the sense of Congress to encourage the protection, conservation and sustainable use of coral reef ecosystems. It had been reported out of the Senate Commerce, Science, and Transportation Committee (Chairman John McCain, R-AZ) on June 19th. The House passed the resolution under Suspension of the Rules on April 23rd.

Senate committee staff expects to finalize the bill report and pass the measure in September.

STATEMENT BY PRESIDENT CLINTON ON SIGNING DOLPHIN CONSERVATION LEGISLATION

(Ccntinued from page 1)

"I am pleased today to sign into law HR 408, the "International Dolphin Conservation Program Act". This Act is the product of a bipartisan effort by the Congress, my Administration, and a number of major environmental groups and U.S. fishermen. The Act will ensure that one of the best international programs to conserve marine resources will be strengthened and continued.

"The protection of dolphins in the eastern tropical Pacific Ocean, where these marine mammals swim together with schools of yellowfin tuna, has long been a high priority for the United States. Strengthening the International Dolphin Conservation Program through this legislation is a major victory for strong international efforts to protect dolphins caught during tuna fishing in this region.

"The Act recognizes that ongoing international efforts have been a tremendous success -- dolphin mortalities have been reduced by more than 98 percent from previous levels. Foreign nations, whose fishing fleets have contributed to this success, will no longer face U.S. embargoes on their tuna products if they continue to participate effectively in this international program.

"One of the major provisions of this Act is the change in the definition of the standard for the "dolphin-safe" label affixed to canned tuna sold in the United States. The definition of dolphin-safe will be changed to mean that no dolphins were killed or seriously injured during harvesting of the tuna. The label change will take effect in March 1999 unless the Secretary of Commerce determines that tuna fishing by encircling dolphins has a significant adverse impact on dolphin stocks. United States policy on

this question has been and will continue to be based on the best available scientific information.

"Unfortunately, H.R. 408 also contains provisions that could be construed to direct how the Nation's foreign affairs should be conducted. The Constitution vests the President with special authority to conduct the Nation's foreign affairs, and this authority necessarily entails the exercise of discretion. Thus, section 4(e), that portion of section 6(c) that amends section 302 of the Marine Mammal Protection Act, and section 7(c) will be construed to be advisory within the executive branch.

In approving H.R. 408, I would like to recognize Congressmen Gilchrest, Cunningham, Saxton, Cardin, and Green and Senators Breaux, Stevens, McCain, Kerry, Snowe, and Hollings for their efforts in the passage of this legislation.

"The strictly enforced dolphin protection regime that this Act endorses is a model of effective international cooperation on an important environmental matter, and I am pleased to sign it.

ATMOSPHERIC HAPPENINGS

EL NIÑO PLAYS PROMINENT ROLE IN WEATHER PATTERNS FOR COMING SEASONS

Strong El Niño conditions are currently developing in the tropical Pacific. The warm event will bring wetter, cooler weather for the southern half of the United States from November through March, while the northern part of the country from Washington east to the western Great Lakes will experience warmer than normal temperatures, according to predictions from NOAA's Climate Prediction Center.

Scientists at the center said, however, that forecasts for the summer due to end in a few weeks were more uncertain because El Niño impacts during this time normally are not consistent.

El Niño is an abnormal state of the ocean-atmosphere system in the tropical Pacific with important consequences for weather around the globe.

"These are the typical weather impacts during a warm phase based on an average of all El Niño events," said Ants Leetmaa, director of the Climate Prediction Center. "This El Niño event is shaping up to be similar to the strong events of 1957, 1972 and 1982-83. During those years, many sections of the southern half of the United States, including California, experienced above normal rainfall from September through the following May." El Niño is an abnormal state of the ocean-atmosphere system in the tropical Pacific having important consequences for weather around the globe. Among these consequences are increased rainfall across the southern tier of the United States and in Peru, sometimes resulting in destructive flooding; and drought in northeast Brazil, southeastern Africa, and the west Pacific.

Check the NOAA Legislative Affairs webset for the latest El Nino updates for your area. The website can be accessed at *http://www.noaa.gov/noaa-ola*

STUDIES FIND SIGNIFICANT ECONOMIC BENEFIT IN CLIMATE FORECASTS

Long-range forecasts of the El Niño/Southern Oscillation (ENSO) phenomenon — significantly improved in recent years — by NOAA and other entities could result in economic benefits of between $240-$324 million per year to U.S. consumers and producers in the agriculture sector, according to a study to be published in an upcoming issue of ***Climatic Change,*** **a** prominent journal dealing with climate issues.

A related cost-benefit analysis by academic experts of investments in research and observing systems to achieve and maintain improved ENSO forecast capabilities indicates real economic returns of 13 to 26 percent to the United States. In recent years, NOAA's ability to forecast ENSO has improved significantly. These improved forecasts have a potentially large economic value because they enable better decisions to be made in climate-sensitive sectors of the economy.

"These studies clearly demonstrate the economic benefits of improved long-range forecasting," said NOAA Administrator Dr. D. James Baker. "It is yet another example of how investment in ocean and atmospheric research and observing systems is a sound use of public resources to produce a beneficial return for the economy."

For the agricultural study, researchers analyzed differences in climate conditions during ENSO events and the consequences of those conditions for crop yields in the United States. In some cases, depending upon the phase of ENSO, average monthly temperature and precipitation can change simulated yields of important crops such as corn, wheat and soybeans by as much as 15 to nearly 30 percent Therefore, accurate long-term forecasts will allow farmers to make optimal planting and harvesting decisions, benefiting American consumers and exporters by lower prices.

A separate cost-benefit study compared the costs of a successful 10-year international effort to model and understand ENSO with the benefits of climate forecasts only in the U.S. agriculture sector. The study also took into account future costs of maintaining and improving the ENSO observing system. Using sensitivity analysis, real economic returns on investments by the U.S. is at least 13 to 26 percent. This is substantially above the 7 percent government minimum required rate of return on public investments, said Peter Sassone, professor at the Georgia Institute of Technology and author of the study.

Additional NOAA-supported studies are currently underway to estimate the benefits and application of improved forecasts in the electric power industry, with emphasis on hydropower production; natural gas storage and transmission; the commodities markets; and the use of improved global forecast in climate-sensitive economies like Latin America and China.

ARE SMOG, SMOKE AND SEA SPRAY DELAYING GREENHOUSE WARMING? INTERNATIONAL TEAM OF SCIENTISTS TO INVESTIGATE

Some 200 scientists from Europe and the United States joined forces this summer to investigate how smog, smoke and other "atmospheric aerosols" affect climate and the extent to which they may offset the greenhouse effect, NOAA has announced

"Atmospheric aerosols are tiny particles or droplets, most of them smaller than one micrometer in diameter, that are suspended in the atmosphere," said principal scientist Timothy Bates of NOAA's Pacific Marine Environmental Laboratory in Seattle, Wash. "The effect of these particles on radiation has been known for many decades, as they are responsible for colorful sunsets, hazes over the landscape and the less romantic smog in large cities. Only recently have scientists suspected these effects might also influence global climate.

"The global distribution of aerosols, their characteristics and the way they interact with solar radiation and clouds are all poorly known, which prevents both precise calculations of the effect of aerosols on climate and accurate predictions of future climate change," Bates said.

Manmade sources of atmospheric aerosols include smoke and fumes from industrial combustion, forest fires and automobile emissions. Natural sources include mineral dust, which is often transported over large distances, salt particles from sea spray, sulfur and other organic emissions from the ocean and land, and sulfur from volcanoes.

In the 2nd Aerosol Characterization Experiment (ACE-2) June 16-July 25, scientists within the International Global Atmospheric Chemistry Project equipped a ship, and coastal and mountain top sites in Portugal and on the Canary Islands and Madeira with the most advanced observational equipment to study manmade aerosols from Europe and natural dust aerosols from the Sahara.

Six research aircraft performed dedicated flights to make measurements within these aerosol plumes and the surrounding clouds. The area was also monitored with the NOAA12, NOAA14, NOAA/k, Meteosat, and ER-2 satellites.

"The various measurements we make in ACE-2 can be considered parts of a complex puzzle, which scientists from around the world will piece together to explain the role of aerosol, particularly those produced by humankind, in climate change," Dr. Bates said.

Aerosol particles primarily reflect sunlight and can also enhance the reflective properties of clouds, both of which result in a cooling of the Earth system. Scientists believe that the cooling by aerosols may explain why the observed increase in the global temperature is lower than that calculated by climate models considering the greenhouse effect alone. ACE-2 is sponsored by the European Commission DGXII Environment and Climate Program, the National Environmental Research Council and the Meteorological Office, both of the United Kingdom, France, the U.S. National Science Foundation and NOAA. Meteorological and logistics support was provided by the Spanish National Meteorological Institute and the European Commission's Joint Research Center, Ispra.

In an earlier experiment called ACE-1 in late 1995, scientists made similar measurements over the Pacific Ocean south of Australia, which is the least polluted area of the world and where the natural aerosol system could be studied in near-pristine condition.

ACE-3 is planned for the year 2000 and will focus on the region downwind of the rapidly increasing pollution sources in eastern Asia.

NEXRAD DOME RAISED AT NORTHERN INDIANA RURAL SITE

Senior NOAA officials and Rep. Tim Roemer (D-IN) participated in the dome raising event on June 25th at the new Northern Indiana WFO/RDA site near North Webster. The site is roughly midway between South Bend and Fort Wayne.

Despite competing against local festivities for the annual Mermaid Festival and Hot Air Balloon Festival, the event drew significant media coverage and a crowd of about 85 spectators. The event was the final official act as National Weather Service director for Dr. Elbert W. Friday, Jr., who participated in a 45-minute media session prior to the ceremony. Dr. Friday's opening comments and most of the media questions dealt with the new office and WSR-88D radar.

The radar should be operational by September 5th. The recommendation for siting the radar was based on the October 12, 1995 Secretary's Report to Congress on adequacy of NEXRAD Coverage and Degradation of Weather Services under NWS for 32 Areas of Concern. The new radar is expected to be particularly useful in detecting "lake effect" snow that blows across the southeast end of Lake Michigan dumping significant snow onto cities such as Michigan City and South Bend at the same time that Gary, only about 48 kilometers to the west, is dry. The Report Team concluded that NWS Modernization actions to close the Fort Wayne Weather Service Forecast Office would result in a degradation of service.

Joining Dr. Friday on the speakers' stand for the ceremony were Rep. Tim Roemer (D-IN); Van Wert County, OH, Emergency Management Agency Director Rick McCoy; and newly-selected Northern Indiana Meteorologist-In-Charge Mike Sabones. Local Congressional staffers read statements on behalf of Indiana Senators Republicans Dan Coats and Richard Lugar and Hoosier Republican Representatives Mark Souter and Stephen Buyer. Under a clear sky with the temperature at about 27-29 degrees Celsius and almost no wind, the construction crew took about 15 minutes to get the radome lifted and placed on the 25-meter tower.

TEMPERATURE RANGE NARROWING BETWEEN DAYTIME HIGHS AND NIGHTTIME LOWS

The temperature range between daytime high temperatures and nighttime low temperatures is decreasing for most parts of the world, a team of scientists reports in the July 18th edi-

tion of ***Science*** magazine**.** The scientists, led by David R. Easterling of NOAA's National Climatic Data Center in Asheville, NC, studied data from 5,400 observing stations around the world. The data cover 54 percent of the world's total land area; this is 17 percent more than available for previous studies.

The scientists report that maximum temperatures have increased over most areas with the exception of eastern Canada, **the southern United States**, portions of eastern Europe, southern China, and parts of southern South America. **Minimum temperatures, however, increased almost everywhere** except eastern Canada and small areas of eastern Europe and the Middle East. The gap between the highs and lows decreased in most areas, except over middle Canada, and parts of southern Africa, southwest Asia, Europe, interior Australia, and the western tropical Pacific Islands.

Seasonally, the strongest changes in the temperature gap were in the Northern Hemisphere winter; the smallest changes were in the Northern Hemisphere summer. These facts suggest that there is an element of a seasonal cycle in the changes.

The authors note that minimum temperatures in the Southern Hemisphere increased and postulate that increased cloudiness is contributing to this. They also note that urban effects on the narrowing temperature gap are negligible, and circulation variations in parts of the Northern Hemisphere appear to be related to the narrowing gap.

SCIENTISTS DRILL ICE CORES HIGH ATOP BOLIVIAN VOLCANO TO STUDY GLOBAL CLIMATE VARIABILITY

A team of scientists sponsored by NOAA researching Earth's climate in ancient times, has obtained samples from a remote, ice-covered volcano in Bolivia that will provide information critical to the study of global climate change, NOAA announced on July 24th.

The scientists, led by Lonnie Thompson, a professor of geological science at Ohio State University, drilled into a 129-meter deep glacier that covers the top of 6,482-meter Mt. Sajama in a remote, high alpine area of Bolivia. They obtained ice cores for chemical and physical analyses that will provide a more extensive view of short-term climate variability in the South American Highlands. By looking at the information contained in ice records, scientists are able to unlock crucial clues to Earth's climate history.

The scientists arrived at the base of Sajama in June and set up camps: base camp at 4,752 meters and high camp at 5,542 meters. The three-day trip to the summit allowed time for adjust to the change in elevation between base camp and the summit. Drilling for ice cores on the 6,482-meter summit began on June 26th.

"The cores are a storehouse of many environmental records," Dr. Thompson said. "Major volcanic ash layers could be identified periodically throughout the cores along with other red and yellow dust layers. Both cores contain 30 meters of very clean ice near the bottom, which we speculate may date from the time when the ancient Lake Tauca covered over 43,000 square kilometers of a high plateau at the end of the last glacial stage some 14,000 years ago.

INTERAGENCY SURVEY TEAM RELEASES PRELIMINARY FINDINGS ON RED RIVER FLOODING

A team of experts on July 25th released preliminary findings and recommendations from their study of National Weather Service (NWS) forecasts and services during the April 1997 floods in North Dakota and Minnesota on the Red River of the North.

An interagency disaster survey team led by NOAA found that complex river characteristics and limitations in current NWS flood forecast methods were the primary cause of changes in forecasts of the flood crest at Grand Forks, ND, and East Grand Forks, MN., as the record-setting crest approached the two cities.

"The same forecast techniques that produced very good predictions of flood stages on other portions of the Red River were not as effective for the Grand Forks/East Grand Forks area of the river," said Edward Johnson, co-leader of the NOAA survey and chief of the Hydrologic Operations Division, Office of Hydrology, NWS. "Our models did not fully account for the submerged bridges and the very flat terrain downstream that backed up water in the town."

The survey team also suggested that the NWS needs to improve the methods used to estimate and convey the uncertain nature of its flood forecasts and outlooks to officials and the public. "Our discussions with NWS customers in the Red River valley indicated that there needs to be greater understanding of the meaning of long-range flood outlooks and short-range flood forecasts. We have to ensure that people clearly understand that river levels could be higher or lower than called for in the outlook and that our confidence grows as we issue forecasts and get closer to the event," Dr. Johnson said.

Flooding on the Red River of the North established twentieth-century records at most locations along the river and was particularly devastating in the towns of Grand Forks and East Grand Forks. With the exception of Grand Forks, which exceeded the previous record, set in 1979, by over 1.5 meters, observed crests at most other forecast locations on the Red River were approximately 60 centimeters above the previous record.

$149 MILLION IN CONTRACTS AWARDED FOR ENVIRONMENTAL SATELLITE INSTRUMENTS

Six contracts with potential value totaling $148.9 million were awarded on July 31st for sensor development for five critical instruments that will fly aboard the country's future polar-orbiting environmental satellites, the Air Force and NOAA announced.

These contracts represent a major step in the merger of the nation's military and civil operational meteorological satellite systems into a single, national system capable of satisfying both civil and national security requirements for space-based remotely sensed environmental data. The merger of these programs was a key recommendation of Vice President Gore's

National Performance Review, which was aimed at streamlining government and making it more efficient. The converged system is expected to save taxpayers $550 million through 1999 and additional savings throughout the life of the system.

The contracts were awarded by the Air Force Space and Missiles Systems Center in support of the Tri-agency National Polar-orbiting Operational Environmental Satellite System (NPOESS) led by NOAA.

The contracts are for competitive sensor and algorithm developments for instruments that will fly aboard satellites in the NPOESS system. This system will combine the current dual systems of polar-orbiting satellites operated by NOAA and the Department of Defense. Under NPOESS the total number of satellites required and their associated ground systems are expected to be significantly reduced.

The contracts were awarded as follows:

-- $32 million to Hughes Space and Communications Company, **Los Angeles**. This action provides for development and design of the Conical Microwave Imager/Sounder sensor that will collect microwave radiometry and soundings. Hughes will perform this effort in **Los Angeles.** $35,509,941 to Ball Aerospace and Technologies Corporation, Aerospace Systems Division, **Boulder**, CO. This action provides for development and design of the Ozone Mapping and Profiler Suite and the Conical Microwave Imager/Sounder sensors. Ball Corporation will perform this effort in **Boulder**.

--$4,874,570 to Orbital Sciences Corporation, Sensor Systems Division, **Pomona**, CA. This action provides for development and design of the Ozone Mapping and Profiler Suite sensors. Orbital Sciences will perform this effort in **Pomona**.

--$36,772,433 to Hughes Aircraft Company, Santa Barbara Remote Sensing, **Goleta,** CA. This action provides for development and design of the Cross Track Infrared Sounder and Visible/Infrared Imager Radiometer Suite sensors. Hughes will perform this effort in **Goleta.**

$35,740,180 to ITT Aerospace/Communications Division, **Fort Wayne**, IN. This action provides for development and design of the Cross Track Infrared Sounder and Visible/Infrared Imager Radiometer Suite sensors. ITT will perform this effort in **Fort Wayne**.

--$4 million to Saab Ericsson of Sweden for a Global Positioning System Occultation Sensor that will measure the refraction of radiowave signals from the GPS and Russia's Global Navigation Satellite System to characterize the ionosphere.

The first satellite in the NPOESS system is expected to be available sometime toward the middle to latter half of the next decade, depending on when the current NOAA and Defense Meteorological Satellite Program satellite assets are exhausted.

Under the Presidential Decision Directive establishing the NPOESS program, the Air Force has lead agency responsibility for major systems acquisition, and NOAA has overall lead responsibility for the program and for operation of the system. The source selection team for the contracts was composed of Defense Department, NASA, and NOAA members.

UNIVERSITY OF NEW HAMPSHIRE AND NOAA ESTABLISH COOPERATIVE INSTITUTE FOR COASTAL TECHNOLOGY; SEN. JUDD GREGG CITED FOR HIS SUPPORT

Officials with the University of New Hampshire (UNH) and NOAA on May 28th announced a new cooperative institute aimed at fostering long-term conservation of the nation's coastal and estuarine ecosystems. Sen. Judd Gregg (R-NH), credited with obtaining the $2.7 million in federal support for the Cooperative Institute for Coastal and Estuarine Environmental Technology (CICEET), looked on as UNH President Dr. Joan Leitzel and Dr. D. James Baker, Under Secretary for Oceans and Atmosphere, signed the memorandum of understanding creating the institute.

The CICEET will be a national center for enhanced cooperation and collaboration among academia, the private sector, and federal, state and local governments. As chairman of the Senate Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Subcommittee, Sen. Gregg has supported the CICEET initiative based on the university's national stature and ground-breaking work in the field of environmental technology.

He also was instrumental in providing the $8.5 million for construction of a new Environmental Technology Building at UNH, which will provide facilities for the institute and related programs. "We are grateful for Sen. Gregg's ongoing, active support of our research program here at the university," said Dr. Leitzel. "His vision in initiating the discussions leading to the creation of the institute is typical of his commitment to the university and its leadership role in environmental technology."

"It is only fitting that we enter into this cooperative venture at the Jackson Estuarine Lab, where the university, the state and NOAA have been working cooperatively for the past eight years to manage the Great Bay National Estuarine Research Reserve," Dr. Baker said.

"The Cooperative Institute brings science, technology and management together — uniting the strengths of the public and private sector — to create a greater whole toward preserving our nation's valuable estuarine environments," Dr. Baker added.

NATIONAL WEATHER SERVICE NOW BROADCASTING SEVERE WEATHER WARNINGS FOR MORE SPECIFIC GEOGRAPHIC AREAS

The National Weather Service (NWS) announced on August 19th an improvement to its service of broadcasting severe weather warnings to the public through its network of NOAA Weather Radio transmitters. A new generation of weather radio receivers, using NWS-developed technology, will enable listeners to screen out weather alarms that do not apply to them.

"We want to reduce the 'Boy Who Cried Wolf' syndrome by targeting our alarms for specific segments of the listening area," said Louis J. Boezi, NWS deputy director for modernization. "This new warning procedure is a breakthrough be-

cause it lets NOAA Weather Radio listeners screen out the severe weather alarms they don't want to hear. If listeners are awakened at 3 a.m. for a severe weather warning 120 kilometers (75 miles) away, they may eventually tune out all together. We don't want that to happen."

NOAA Weather Radio, the "Voice of the National Weather Service," broadcasts official NWS warnings and hazard information and local forecasts 24 hours a day over a growing national network of more than 450 transmitters. Routine forecast information is updated every one to three hours, and NOAA Weather Radio broadcasts are repeated about every five minutes.

During an emergency, National Weather Service forecasters interrupt local NOAA Weather Radio programming and send out an alarm tone that activates NOAA Weather Radio receivers within the entire listening area. Since transmitters typically reach people within a range of hundreds of square kilometers, technical limitations have led to the appearance of "overwarning" for some severe weather events.

Mr. Boezi said a new generation of NOAA Weather Radio receivers have a Specific Area Message Encoding (SAME) feature that allows consumers to choose only the official NWS watches and warnings they want. Older NOAA Weather Radio receivers continue to work, but these older receivers do not allow listeners to screen out weather service alarms for individual counties.

Mr. Boezi praised the efforts of the consumer electronics industry to bring these new NOAA Weather Radio receivers to the marketplace. "We hope that manufacturers will develop new car radios and citizen band radios capable of picking up SAME-coded alerts," said Mr. Boezi. "Since the SAME codes are fully compatible with the Federal Communications Commission's Emergency Alert System, we also hope someday soon to see new television sets, pagers, cellular phones and other electronic devices capable of receiving SAME-coded alerts. There's a huge market out there for devices that can be pre-set to receive locally-broadcast hazard warnings and alert people any time of the day or night when they may have minutes to react."

The first brand of the new SAME-capable receiver is sold by Radio Shack, and other brands of receivers with the SAME feature are expected to be sold by electronics manufacturers later this year.

Following a tornado that killed more than 20 people in a rural Alabama church on Palm Sunday in 1994, Vice President Al Gore set a goal to make NOAA Weather Radio receivers as common as smoke detectors in American homes and to extend the coverage provided by the NOAA Weather Radio transmitter network to 95 percent of the United States.

Since the Gore NOAA Weather Radio initiative began, the National Weather Service and other members of the Gore task force have been actively promoting public/private sector partnerships to provide the needed resources. More than 50 new weather radio transmitters have been installed since 1994 through grass roots partnerships combining resources of private enterprises, associations, and local, state and federal government agencies.

Arkwright Mutual Insurance Co. announced in late August that it is investing $1.2 million to install 10,000 receivers into its customers' facilities for no charge. This will be the largest private investment in the NOAA Weather Radio network and will extend the service into a wide range of companies and organizations nationwide.

ILLINOIS CORN FIELD STUDY BY NOAA'S AERONOMY LAB ON : WHAT GOES DOWN... COMES UP?

Researchers from the Aeronomy Laboratory's Tropospheric Chemistry Program and the Atmospheric Dynamics Program are literally "in the field" this summer - an Illinois cornfield, that is. The site is near the Flatland Atmospheric Observatory outside of Champaign-Urbana, an area in which the Atmospheric Dynamics Program has a long history of studying atmospheric waves in the lower atmosphere. This time, chemistry measurements and meteorological measurements will be combined in the Flatland '97 Flux Study.

The investigation is aimed at answering an intriguing question: Do the agricultural fertilizers applied to the cornfields have an effect on the local, or even regional, atmosphere? The nitrogen in the fertilizers is consumed and transformed by soil bacteria, ultimately forming nitrogen oxides (NOx). If the NOx stays close to the ground (within the "canopy" of the corn), the atmospheric NOx concentration could build up so high that it triggers a reaction with ozone. This scenario would consume ozone and thereby reduce the local ozone levels. But if the NOx is dispersed beyond the canopy, the more moderate but more widespread increase in NOx could affect the regional oxidant chemistry in such a way as to make more ozone.

Eric Williams, Jerry Harder, and Chuck Eubank will be making measurements of nitric oxide (NO), nitrogen dioxide (NO2), and ozone (O3) fluxes to try to determine which way that "switch" is toggled. They'll use two methods to measure the fluxes: their time-tested enclosure method (in which containers are placed over the soil and the interior air is sampled over time); and a new configuration of existing equipment that will provide eddy correlation measurements of the fluxes. Two University of Colorado, Boulder, students will be making leaf-level measurements. From June 8th-July 2nd, the scientists made observations while the corn was just getting a start on growing. Then for the July 23rd-August 15th phase of the study, the canopy was at its maximum. Wayne Angevine and Alison Grimsdell were looking at dynamics on a broader scale using wind profilers and balloon soundings, and NOAA's Air Resources Laboratory will make meteorological and chemical measurements from NOAA's Twin Otter aircraft. The combination will be used to initialize, verify, and improve the Aeronomy Laboratory's models that will attempt to "scale up" the surface flux measurements of Eric Williams' group. At the end of the study, Aeronomy Laboratory program leader and principal investigator Fred Fehsenfeld believes that the scientists will know "how much of what goes down must come up" - and where.

NOAA OCEANIC HAPPENINGS

MODIFIED PLAN ANNOUNCED TO REDUCE LARGE WHALE ENTANGLEMENTS IN ATLANTIC LOBSTER AND GILLNET GEAR; FAVORABLY RECEIVED BY SEN. CHAFEE AND LOBSTER INDUSTRY

NOAA on July 15th announced a four-year plan to reduce entanglement of four large whale species, particularly the rare northern right whale, in lobster and gillnet gear off the North Atlantic Coast. In many areas, the gear will have to be rigged to reduce risk to the whales. "This represents a major change in the way we intend to deal with large whales in the region," said Terry Garcia, Acting Assistant Secretary for Oceans and Atmosphere. "It will immediately reduce risks to the animals and sets up a cooperative public process for making gear decisions," he said. "The goal was to develop a balanced approach — one that protects the whales from gear entanglement while balancing the needs of the fishing community. This plan successfully achieves the balance."

The rule is a revision of a controversial take reduction plan proposed by the National Marine Fisheries Service (NMFS) in April. After making the proposal, the agency conducted 12 hearings on the plan in five states attended by more than 2,500 persons, and received written comment and petitions from more than 13,000 persons and organizations. The plan is substantially revised from the initial proposal, based on the constructive advice received from constituencies.

The Reuters news agency quoted Robin Alden, Maine's Commissioner of Marine Resources, who had threatened to sue NMFS over the original proposal, as saying "with this announcement we will be all right. . .(the whales) now have 7,000 friends looking out for them on the ocean." He was referring to a proposal to train fishers to assist special rescue crews that will disentangle the whales.

Sen. Olympia Snowe (R-ME), Chairman of the Commerce Subcommittee on Oceans and Fisheries, worked extensively with the agency, fishing and lobster industry representatives, and state officials, to ensure that the final rule balanced the need to protect right whales while also recognizing the need to ensure the continued economic viability of the lobster and fishing industries. The interim final rule is credited with providing fishermen with flexibility to modify their gear based on the areas they fish and the likelihood of whales in that area.

The plan is required by 1994 amendments to the federal Marine Mammal Protection Act the federal Marine Mammal Protection Act. It requires NMFS to develop, with public participation, take reduction plans. A plan is required for all fisheries that are known to occasionally or frequently entangle marine mammals in populations that are of biological concern.

ADMINISTRATION BRIEFS HILL ON STATE/FEDERAL SAN FRANCISCO BAY-DELTA INITIATIVE

On July 31st, Terry Garcia, NOAA's Acting Assistant Secretary for Oceans and Atmosphere, participated in the Administration's CALFED Bay-Delta Program briefing for Congressional staff. Other agencies represented were the Office of Management and Budget, Department of Interior, the Environmental Protection Agency, the Army Corps of Engineers, and U.S. Department of Agriculture.

The purpose of the briefing was to inform appropriations and authorizations staffers that the (San Francisco) Bay Delta was an Administration priority, and that the intent was to do "ecosystem budgeting" --looking at an area comprehensively to budget for its regional needs. The CALFED Bay-Delta Program was started in June, 1995 as a collaborative effort to address a declining ecosystem, uncertain water supplies, imperiled water quality, and unstable levees. The area of federal attention is in California's Bay-Delta, the region where the San Francisco Bay meets the Sacramento/San Joaquin River Delta. The area is an Administration priority because it is in need of remedial work, including recovery of "priority species" of winter-run chinook and steelhead trout. The area provides the fresh water supply to 22 million people, and produces 45 percent of the nation's fruits and vegetables. The management efforts of the CALFED Bay-Delta Program have included close cooperation not only among state and federal agencies, but involvement of urban and agricultural water users, fishing interests, environmental organizations, and business.

The Administration representative informed the Hill that California has passed Proposition 209, a water bond act worth approximately $990 million, of which $450 million is slated for the Bay Delta. This project was envisioned as a 50/50 Federal/State partnership, so the Administration must ask Congress for the other $450 million. This amount is supposed to be appropriated over a three year period beginning in Fiscal Year 1998, at around $143 million per year. The Administration detailed the ecosystem roundtable, and other processes in effect to select projects to improve the regional ecosystem, on an Request for Proposal basis. These decisions will be based on a stakeholder consensus. Proposals totalling $600 million have been received, and are being weighed now. The projects fit into the following categories: watershed planning and implementation; construction; land acquisition; habitat restoration; water quality; and monitoring, assessment and reporting. Armed with the roundtable's recommendations, the Governor of California Pete Wilson and Secretary of Interior Bruce Babbitt have final decision making power over the projects selected.

Staffers at the briefing asked how the program would be affected by less funding, what kinds of analysis would be done on the projects, if projects that were "ready to go" would receive undue priority, the possibility of recycling water used for fish runs back into the system for farm use, and if the whole process would hold together over time. The Administration officials reiterated the need for this Bay Delta program in order to maintain and improve the regional ecosystem.

STEPHEN BRANDT IS NEW DIRECTOR OF NOAA'S GREAT LAKES ENVIRONMENTAL LABORATORY

On August 13th, NOAA announced the appointment of Dr. Stephen B. Brandt as the new director of the Great Lakes Environmental Research Laboratory in Ann Arbor, MI. Brandt has been the director of the Great Lakes Center for Environmental Research and Education at the State University of New York at Buffalo, where he was also a professor of biology. The author of nearly 100 scientific papers and articles, Dr. Brandt is the president-elect of the National Association of Marine Laboratories and is the past president of the International Association of Great Lakes Research and a past member of the science Advisory Board of the International Joint Commssion for the Great Lakes. The lab has a staff of 60, a $5.2 million budget, and studies toxicants, natural hazards, hydrology, and invasive species in the Lakes, such as zebra mussels.

NOAA DETERMINES NAVY NOT LIKELY TO JEOPARDIZE PROTECTED MARINE SPECIES; NAVY MODIFIES OPERATIONS IN SOUTHEAST ATLANTIC TO REDUCE INTERACTIONS

Protective measures proposed by the U.S. Navy have significantly reduced the likelihood of interactions between Navy ships and aircraft with northern right whales and with other protected species, concludes an Endangered Species Act "biological opinion" issued by the National Marine Fisheries Service.

The fisheries service's opinion, released on May 15th, addressed the potential effects of Naval operations at sea off the southeast U.S. coast on the endangered and threatened species present there. The opinion concludes that measures adopted by the Navy will help ensure that their activities along the southeast U.S. coast are not likely to jeopardize the continued existence of any threatened or endangered species. Those species include the northern right whale, humpback whale and other large whales, along with Kemp's ridley, hawksbill, loggerhead and green sea turtles.

The biological opinion is the product of a year-long sustained, cooperative effort involving the National Marine Fisheries Service and its parent agency, NOAA; the Navy; and the Marine Mammal Commission. During the process, the Navy provided detailed descriptions of vessel and aircraft operations in the area, including air-dropped ordnance exercises and naval gunnery. The agencies involved then collaborated to identify appropriate locations, times and measures for Navy operations that would ensure species protection while not unduly restricting vital naval training.

"This biological opinion is a landmark event in Navy-NOAA cooperation," said Terry Garcia, Acting Assistant Secretary of Commerce for Oceans and Atmosphere. "It is based on a genuine concern on the part of the Navy to include environmental protection as a part of its mission and our understanding of the Navy's national security responsibilities. It also shows NOAA's resolve to address the impacts to right whales and a willingness to work with involved parties to find solutions."

"To the maximum extent practicable, we have relocated our operations away from the northern right whale critical habitat off the U.S. southeast coast, and into areas where right whales and other protected species are less likely to be found," said Navy General Counsel Steven S. Honigman. "When we do operate in proximity to these species, we have implemented protective measures to ensure that Navy ships and aircraft detect and avoid the whales. We are committed to acting as responsible stewards of our environment and the marine life with which we share the oceans," he continued.

Among the measures implemented by the Navy:

- relocation of bomb drops, naval gunnery and operations that require use of high vessel speeds further away from right whale critical habitat areas;

- restrictions on avoidable vessel transits through the right whale critical habitat during the calving season;

- posting of an additional lookout when traversing the critical habitat; and

- avoidance of sargassum rafts, which may attract juvenile sea turtles, when training with air-dropped ordinance.

In addition, the Navy has established a state-of-the-art real-time system for receiving and relaying reports of right whale locations anywhere within and near the critical habitat. This clearing house will receive reports from all sources — commercial, governmental and military — and relay sighting information to Navy ships and to civilian authorities for dissemination to mariners.

FISHERIES SERVICE NAMES PACIFIC AND ATLANTIC RECREATIONAL COORDINATORS

NOAA has announced the appointment of Pacific and Atlantic Recreational Fisheries Coordinators for the National Marine Fisheries Service (NMFS). Marty Golden was named for the Pacific, a new position responsible for coordinating and implementing agency recreational fisheries programs for West coast states, Alaska, Hawaii and the Pacific trust territories.

Ginny Fay was appointed for the Atlantic, also a new position for the East Coast states and the Caribbean. Ms. Fay's "extensive background and experience in marine recreational fisheries at both the state and regional levels make her ideal for the job," said Dick Schaefer, chief of Intergovernmental & Recreational Fisheries Office. Before joining NOAA, Ms. Fay was a fisheries biologist for the State of Massachusetts, working with recreational fisheries communities on Cape Cod, and prior to that, she was with the Maryland Department of Natural Resources. She will be based at NMFS headquarters in Silver Spring, MD.

Turning to West Coast: "The agency has recently made great strides to improve recreational fishing opportunities and create constructive dialogue with anglers," said Marty Golden. "I'm excited by the chance to improve the agency's focus and communication with the recreational fishing community."

Golden hopes to develop education outreach programs that promote strong conservation ethics among anglers, to foster a better understanding of the marine environment and related issues. A recently completed agency video entitled "Fish for Tomorrow" is an example of one such project he plans to expand upon. Golden will be located in the NMFS Southwest Regional Office in Long Beach, CA, working with other agency recreational fisheries staff to provide input to various recreational management initiatives. Golden is a fellow and served as director of the Southern California Chapter of the American Institute of Fishery Research Biologists, is an American Fisheries Society Certified Fisheries Scientist, and a member of a number of other professional organizations. He is also an underwater photographer. Golden holds an associate's degree in forestry, and a bachelor's and master's degree in zoology, all of which include work in fisheries and water pollution ecology.

NEW BEDFORD SEAFOOD COMPANIES REACH $1 MILLION SETTLEMENT IN FISHERY FRAUD CASE SEA RICH ADMITS GUILT

NOAA on June 12th finalized an unprecedented monetary settlement of a fisheries enforcement case with Sea Rich Seafoods, Inc. and Atlantic Gem Seafoods, Inc. of New Bedford, MA., fish dealers charged in April with underreporting more than $1 million in fish and scallops.

"This settlement sends a strong message to federal fisheries dealers that illegal activity will not be tolerated," said NOAA enforcement attorney Chuck Juliand, who handled the case. Both companies have agreed to help with the ongoing investigation of others who may have illegally harvested and/or sold fish and scallops to Sea Rich or Atlantic Gem. "This investigation is still open," Juliand said.

In settling 113 counts of violating fishery management regulations, Sea Rich Seafoods, Inc. admitted guilt and agreed to pay approximately $1 million in fines, and will have its dealer permit permanently revoked. In addition, Sea Rich president Thomas R. Reilly agreed not to obtain any interest in a federal fish dealer permit for seven years and his three fishing vessel permits have been suspended for up to five years.

Charges against Atlantic Gem were dropped. In return, the company will conduct business under new operational and monitoring procedures for up to one year, while the principals attempt to sell the company. If there is no sale by June 30, 1998, NOAA is entitled to permanently revoke Atlantic Gem's dealer permit.

NOAA SURVEY SHIP VISITS U.N.'S "EARTH SUMMIT +5"; DEPUTY UK PRIME MINISTER TOURS VESSEL

NOAA's hydrographic survey ship ***Rude,*** which gained prominence in July, 1996, when it made the first discovery of TWA Flight 800's underwater wreckage, tied up along the East River on June 23rd, to participate in the United Nations' special "Earth Summit + Five" meeting -- marking half a decade since the landmark 1992 conference on the environment held in Rio de Janeiro. The ship was visited by British Deputy Prime Minister John Prescott, a former merchant mariner, who was accompanied by other British officials. His visit was followed by an impromptu dockside news conference where he stressed the importance of oceanic research. The press conference was covered by the British Broadcasting Corporation, *The London Times* and *The London Telegraph*. Over 300 persons toured the vessel over a three day period. The *Rude* (pronounced Rudy), was conducting hydrographic surveys in New York Harbor to update nautical charts for safe navigation, plays a key role in NOAA's efforts to explore and protect the world's oceans — an important objective of the 1992 Earth Summit. Such surveys are an important contribution to the U.N.'s International Oceanographic Commission ocean research programs. NOAA cooperates with the U.N.'s International Oceanographic Commission, utilizing ships like the *Rude* to collect ocean data that is critical for the prudent management of our oceans.

The *Rude*'s officers and crew use state-of-the-art sonar and ocean research gear to conduct surveys of coastal ocean waters. When TWA Flight 800 crashed into the Atlantic Ocean off Long Island last year, the ship broke off scheduled operations and raced to the crash site to assist in the search and recovery efforts. Rude's personnel used the ship's sensitive scanning equipment and their charting expertise to locate and map the major wreckage sites within 48 hours of the crash.

1997 ATLANTIC BLUEFIN TUNA QUOTAS FINALIZED

The National Marine Fisheries Service issued its final 1997 Atlantic bluefin tuna category allocations for U.S. fishermen, NOAA announced on June 25th The final allocation cuts the Reserve quota from 145 mt to 33 mt, maintains the Purse Seine quota at 250 mt, leaves the Incidental longline quota unchanged at 110 mt, increases the General category quota from 531 mt to 633 mt, maintains the Harpoon category quota at 53 mt, and increases the Angling category quota from 222 mt to 265 mt.

The allocations determine how much of the total U.S. quota - 1,344 metric tons - can be caught by fishermen in each of five Atlantic bluefin tuna fishing categories. In addition, a Reserve is set aside to allow the fisheries service to transfer the quotas, if necessary, to prevent overages. The total quota was assigned to the United States at the November 1996 meeting of the International Commission for the Conservation of Atlantic Tunas and represents a modest increase of 33 mt over 1996.

According to fisheries service officials, the 145 mt quota increase among the General and Angling categories is needed to improve bluefin science by keeping the General and Angling category fisheries open as long as possible to achieve high survey sampling rates over the widest possible geographic area and longest possible fishing season.

In addition, the fisheries service also is responding to recommendations from the National Research Council by increasing its scientific data gathering and tagging studies for 1997. The increase to the Angling category will be used partially to cover the harvest that has occurred during the collection of additional scientific information on the winter fishery off North Carolina. About 150 archival tags were surgically implanted in bluefin to gather additional data on their movement and thereby study stock mixing between the east and west Atlantic bluefin populations.

25TH ANNIVERSARY OF COASTAL ZONE MANAGEMENT ACT STUDY FINDS LAW GENERALLY EFFECTIVE RECOMMENDS BETTER RESULTS MEASUREMENT, TRACKING

One of the nation's earliest resource management laws, the Federal Coastal Zone Management Act of 1972 (CZMA), may be one of the nation's most successful. That's the principal finding in preliminary results of a National Sea Grant College Program-directed study released on July 2rd in Boston during Coastal Zone '97, a biennial gathering of 850 coastal zone management administrators, scientists and policy makers. Twenty-five years after the CZMA first provided fiscal incentives to 35 states and territories to develop effective coastal zone management programs aimed at properly manag-

ing coastal resources, the evidence of success is readily apparent.

Today multiple case examples show that coastal states and territories have developed effective policies promoting protection of critically important estuaries, wetlands and beach areas while at the same time ensuring public access to coastal areas. The law has also been important in stimulating economic development of urban waterfronts and the promotion of environmentally responsible seaport development. This success has come at a time of increased pressure on coastal resources, with demographic projections predicting that 80 percent of the United States population will live within 80 kilometers of the coast by the year 2000.

The study found that in every state coastal management program there are numerous case examples to illustrate on-the-ground effectiveness of CZMA policies. Further it found that state programs were often quite innovative in achieving their objectives through the implementation of a combination of regulatory and non-regulatory approaches.

The conclusions are based on available data from the individual programs, case examples and the tools -- a variety of planning, regulatory and scientific techniques used to manage and balance the use of coastal resources -- that are employed by the programs.

Joseph Uravitch, Chief of NOAA's Coastal Programs Division, says, "I think this study shows the emergence of new concepts of program accountability and effectiveness, and at the same time points to the need to do a better job of accounting for the on-the-ground results of coastal zone management programs nationwide."

Summation of Key Areas Assessed:

Protection of Estuaries and Coastal Wetlands

Protection of estuaries and coastal wetlands is a high priority issue for the great majority of state coastal zone management programs. Sufficient data were available for probable determinations for about one-third of the states and the great majority of these received "very effective" or "effective" ratings. As a result the study concludes, using this representative sample, that the national program as a whole is doing well in this area.

One of the significant accomplishments has been a dramatic turnaround in tidal wetland loss in the states examined both in absolute and long-term trends, and state coastal management programs deserve much of the credit. Notable accomplishments in reducing tidal wetland losses have occurred in Louisiana, New Hampshire, New Jersey, Maryland, San Francisco Bay and Wisconsin.

Protection of Beaches, Dunes, Bluffs and Rocky Shores

State coastal zone management programs are effectively balancing protection of natural shoreline resources with the competing demands such as the protection of properties from hazard risks and allowing for recreational use of the coast. State coastal programs around the country have developed a variety of effective tools to protect beaches and other natural shorelines. These include shoreline setbacks and regulation of shoreline development, acquisition and stewardship of state lands and research and public education about shoreline processes and human impacts. For example developments are no longer built as close to the shore as in the past. Notable success stories can be found in the application of North Carolina's "Oceanfront Setback Law," Maine's "Natural Resources Protection Act," and in Oregon's "Rocky Shore Strategy."

Provision of Public Access to the Shore

State programs give significant attention to the need to provide public access to the shore. Due to decreases in public funding and increased societal concern over the protection of private property rights, coastal states have been very inventive in developing a new tools and approaches as an effective means of providing public access. Examples include providing legal assistance to secure public rights-of-way and developing partnerships with public and private institutions. Traditionally, acquisition and regulatory techniques had been heavily relied upon.

Notable accomplishments at the state level were the acquisition of 2,300 new public access sites in California; and the completion of a comprehensive access system in North Carolina which includes neighborhood, local, and regional facilities designed to meet the characteristics of each site.

Redevelopment of Deteriorating Urban Waterfronts and Ports

Coastal zone management is helping more than 300 cities among 29 coastal states and territories revitalize their urban waterfronts in ways respecting the special quality of the nation's urban shorelines, although revitalization is largely the prerogative of cities. States most active in waterfront revitalization are found in regions that have experienced significant industrial change over the last two decades.

Notable examples of various urban waterfront efforts can be found in New York's "Waterfront Revitalization of Coastal Areas and Inland Waterways Act," in Massachusetts' "Developed Port Areas" program, and in the California State Coastal Conservancy's Urban Waterfront Program."

Promotion of Seaport Development

Most states rank seaport development as an important issue and all states have general policies preferring water dependent uses. Twelve state programs give specific policy, planning and/or regulatory direction to the port sector and are the most effective state port coastal zone management programs.

The impact of coastal management programs is reflected in port projects that have changes in siting, size and economic and environmental impact due to the coastal management program influence. Notable examples of coastal seaport development can be seen in the San Francisco Bay Conservation and Development Commission's 1978 seaport plan; in the Massachusetts Coastal Zone Management Program's statewide "Seaport Action Plan;" and in the activities of Pennsylvania which promotes port-related economic development through designation of "Geographic Areas of Particular Concern" and "Development Opportunity Areas."

NEW NOAA OCEANOGRAPHIC RESEARCH SHIP COMMISSIONED IN CHARLESTON *RONALD H. BROWN* TO STUDY GLOBAL CLIMATE CHANGE

Commerce Secretary William M. Daley on July 19th welcomed the *Ronald H. Brown* into the NOAA's fleet of oceanographic research ships during a traditional maritime ceremony in Charleston, SC.

The 82-meter ship has meteorological and ocean data-collecting capabilities – including a Doppler radar to study storm dynamics at sea – that are unique in the U.S. civilian fleet. Scientists aboard the vessel will study global climate change and other critical environmental issues, across the world's oceans. The *Ronald H. Brown*, named after the late Commerce secretary who died in a plane crash in 1996 while on an overseas trade mission, was commissioned at its home port in the Charleston Naval Complex. Joining Secretary Daley at the ceremony were keynote speaker Sen. Ernest Hollings (D-SC); Mrs. Alma Brown, the ship's sponsor; Dr. D. James Baker, Under Secretary for Oceans and Atmosphere; Stephen S. Honigman, U.S. Navy general counsel; and Rear Admiral William L. Stubblefield, director of the Office of NOAA Corps Operations.

The *Ronald H. Brown* is the first new research ship constructed for NOAA in 17 years, built by Halter Marine Inc. of Moss Point, MS, and launched on May 30, 1996.

"With its Doppler radar, upper-air sounding system, and wind profiler system, the *Brown* is a world-class atmospheric research platform, making it unequaled in the domestic research fleet for sampling both the oceans and atmosphere and discovering the profound interactions that bind them," said Dr. Baker. The ship and its visiting team of university and NOAA scientists departed Charleston July 21 for the *Brown's* first scientific cruise, a study of the three-dimensional structure of clouds and precipitation in the eastern tropical Pacific, a region that has a strong influence on atmospheric circulation patterns worldwide. Chief scientist for the cruise is Dr. Sandra Yuter of the University of Washington.

SCIENTISTS DISCOVER METHANE ICE WORMS ON GULF SEA FLOOR

A team of university scientists using a mini submarine on a NOAA-funded research cruise has discovered, photographed and sampled what appears to be a new species of centipede-like worms living on and within mounds of methane ice on the floor of the Gulf of Mexico, about 240 kilometers south of New Orleans.

Although scientists had hypothesized that bacteria might colonize ice mounds, called gas hydrates, this is the first time animals have been found living in the mounds. The discovery of dense colonies of 2.5 to 5-centimeter-long, flat, pinkish worms, called polychaetes, burrowing into a mushroom-shaped mound of methane seeping up from the sea floor raises speculation that the worms may be a new species with a pervasive and as yet unknown influence on these energy-rich gas deposits.

The worms were observed using their two rows of oar-like appendages to move about the honeycombed, yellow and white surface of the icy mound. The researchers speculate that the worms may be grazing off chemosynthetic bacteria that grow on the methane or are otherwise living symbiotically with them.

CONGRESSIONAL TRIBUTE TO RETIRING ACTING CHIEF SCIENTIST DR. ALFRED M. BEETON

Rep. Steve LaTourette (R-OH) on July 25th paid tribute to Dr. Alfred M. Beeton, who retired on August 1st as Acting NOAA Chief Scientist. The Ohio Republican noted that Dr. Beeton served for ten years as director of the Great Lakes Environmental Research Lab [GLERL] in Ann Arbor, MI, "helping to shape NOAA's mission on the United States' fourth coast." He noted that "Dr. Beeton helped to shape policies that initiated the restoration of the Great Lakes....Dr. Beeton has served as the embodiment of institutional memory for Great Lakes environmental issues. Al Beeton has been the person my staff could always turn to for an honest assessment of the status of our great natural resource."

Rep. LaTourette, whose district borders on Lake Erie, said that "throughout this period, Dr. Beeton has successfully led GLERL's efforts to study problems as large as the control of zebra mussels and the instantaneous forecasting of weather on the coastlines. As a result, we have a much better handle on how to protect the lakes and live safely on their shores than a decade ago." Dr. Beeton was named Acting Chief Scientist in June, 1996.

SEAFOOD CONSUMPTION REMAINS STEADY IN 1996 IN THE U.S.

Seafood consumption in the U.S. remained steady with Americans consuming 1.75 billion kilograms of domestic and imported seafood in 1996 - or 6.6 kgs per person, NOAA announced on August 1st. Officials from NOAA's National Marine Fisheries Service said that the per capita consumption level of 6.6 kgs per person represents a modest decrease of 9 grams from the 1995 level. Americans have consumed approximately 6.75 kgs of seafood each year since 1990.

Of the 6.66 kgs of seafood consumed per person, 4.5 kgs were fresh or frozen fish or shellfish, 2.47 kgs were canned seafood, and 13 grams of seafood was cured. Compared with 1995 figures, that represents a 9 grams decline in canned products. The consumption of shrimp (all preparation) remained at 1.12 kgs consumed per person. Imported fish and shellfish comprised 57 percent of the seafood consumed in the United States in 1996, a three percent increase from the 1995 imports. U.S. exports increased by four percent.

OHIO BECOMES 31ST STATE TO JOIN THE COASTAL ZONE MANAGEMENT PROGRAM IN LAKESIDE CEREMONY

On June 5th, NOAA Administration Dr. D. James Baker, Under Secretary for Oceans and Atmosphere, was in Cleveland to attend a ceremony along the Lake Erie shorefront to officially welcome Ohio as the 31st coastal state or territory to join the federal coastal zone management program. Under the Coastal Zone Management Act (CZMA), the state will become a partner in a larger, national effort that recognizes the economic,

environmental and aesthetic values of the nation's coasts and Great Lakes shoreline. Ohio becomes the second state to enter the CZM program this year (Texas officially entered the program in January), and is now eligible to receive federal matching grants to administer its comprehensive Coastal Management Program (CMP). In addition to funding, all federal agencies operating in Ohio now will need to comply with CMP policies and regulations. Improving public access to the Lake Erie shoreline and encouragement of environmentally safe development of waterfronts and ports are emphasized under CMP.

DRAFT MANAGEMENT PLAN FOR A NEW THUNDER BAY NATIONAL MARINE SANCTUARY MADE AVAILABLE TO PUBLIC—FIRST PROPOSED SANCTUARY ON GREAT LAKES

NOAA has proposed the first National Marine Sanctuary on the Great Lakes. In total, the proposed sanctuary would encompass 1,292 square kilometers and focus comprehensive management on Thunder Bay's underwater cultural resources such as boatwrecks and highlight the maritime heritage of the Great Lakes. On June 6th, a notice of availability was published in The Federal Register announcing how to obtain copies of the Draft Environmental Impact Statement and Draft Management Plan (DEIS/MP) for the proposed Thunder Bay National Marine Sanctuary in Lake Huron, near Alpena, Michigan. This would be the 13th National Marine Sanctuary.

A second notice was published the week of June 9th in The Federal Register with the proposed accompanying regulations. The public comment period expires on October 31st.

Three informational and informal open house meetings hosted by the respective County Boards of Commissioners in Alpena, Presque Isle, and Alcona counties were held the week of June 16th to distribute copies of the DEIS/MP and to answer questions. Formal public meetings have scheduled as follows: Harrisville (September 8th), Alpena (September 9th), and Rogers City (September 10th).

NOAA is currently working with the State of Michigan to establish a 6-month, 15-member interim Sanctuary Advisory Council (SAC) to assist NOAA in completing the determination process; to facilitate public review and dissemination of the DEIS/MP; to build links with Presque Isle and Alcona Counties; and to ensure that stakeholder views are fairly represented in the process.

CHECK OUT THE NOAA LEGISLATIVE AFFAIRS HOMEPAGE, UPDATED DAILY, IF NECESSARY, TO REFLECT THE LATEST NOAA RELATED CONGRESSIONAL DEVELOPMENTS.

BOOKMARK: *HTTP://WWW.NOAA.GOV/NOAA-OLA*

COMMERCE SECRETARY DALEY ANNOUNCES REGIONAL FISHERY MANAGEMENT COUNCIL APPOINTMENTS

Commerce Secretary William A. Daley on June 30th announced the appointment of 30 members to eight regional fishery management councils that work in partnership with the federal government to manage the nation's marine fishery resources.

The councils, established by the Magnuson-Stevens Fishery Conservation and Management Act, prepare fishery management plans for marine fish stocks in their respective geographical areas of responsibility. The management plans are submitted for review by NOAA's National Marine Fisheries Service, and approved by the Secretary of Commerce.

Each year about one-third of the seventy-one voting members appointed to obligatory and at-large seats complete their terms. Selections are made to replace outgoing members from candidates nominated by the governors of the affected states or territories. Council members are appointed to three-year terms and may serve no more than three consecutive terms (in some cases, appointments also are made to complete unexpired terms).

A new council seat was created in October 1996, when President Clinton signed into law amendments to the Magnuson-Stevens Act that, among other things, called for a member of an Indian tribe to serve as a voting member of the Pacific Fishery Management Council.

The councils represent diverse fisheries interests and are composed of members whose combined knowledge and experience represent a balance of commercial and recreational fisheries interests for each geographical area concerned.

Note: * indicates the individual is being reappointed.

The New England Council--The New England Council includes members from the states of Maine, New Hampshire, Massachusetts, Rhode Island and Connecticut. The 1997 appointments are:

Obligatory seats

James M. Kendell, Executive Director, New Bedford Seafood Coalition, New Bedford, Mass.

Frances W. Blount, Jr.,Owner/Operator/President,Frances Fleet, Peace Dale, R.I.

Barbara D. Stevenson*,Portland Fish Exchange, Portland, Maine

D. Douglas Hopkins,Senior Staff Attorney, Environmental Defense Fund, Woodstock, Conn.

Mid-Atlantic Council -- The Mid-Atlantic Council includes members from the states of New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, and North Carolina. The 1997 appointees are:

Obligatory seats

James E. Douglas, Jr., Newport News, Va.

Gary A. Caputi*, Publisher, Big Game Fishing Journal, Point Pleasant, N.J.

At-large seats

Robert Hamilton, Jr.*, Owner/Operator, F/V "Miss Nancy", Greenport, N.Y.

Nancy M. Targett*, Associate Dean, University of Delaware, Graduate College of Marine Studies, Lewes, Del.

South Atlantic Council -- The South Atlantic Council includes members from the states of North Carolina, South Carolina, Georgia and Florida. The 1997 appointees are:

Obligatory seats

Juan M. Sanchez, Executive Director, Monroe County Commercial Fishermen, Inc. , Marathon, Fla.

Belinda F. Flanigan*, President/Operator, Chimney Creek Fishing Camp, Inc., Chimney Charters, Inc., Tybee Island, Ga.

At-large seats

Obadiah F. Love, Jr.*, Owner/Operator, Love's Seafood Restaurant, Savannah, Ga.

James S. Moffitt, Jr.*, Chief Executive Officer, Guilford Packaging and Fiber, High Point, N.C.

Caribbean Council -- The Caribbean Council includes members from the U.S. Virgin Islands and the Commonwealth of Puerto Rico. The 1997 appointees are:

Obligatory seat

Patricia A. Skov* , Skov Fishing Company, St. Croix, U.S. Virgin Islands

At-large seat

Miguel A. Sanabria*, President, Dorado Marine Center, Dorado, Puerto Rico

Gulf of Mexico Council -- The Gulf of Mexico Council includes members from the states of Texas, Louisiana, Mississippi, Alabama and Florida. The 1997 appointees are:

Obligatory seats

Robert L. Shipp*, Professor and Chair of Marine Sciences, University of South Alabama, Mobile, Ala.

Myron J. Fischer**, Charterboat Owner/Operator, Cutoff, La.

Karl J. Lessard*, Owner/Operator, Captain Bee Fisheries, Marathon, Fla.

At-large seats

Albert L. King, Sr.*, Gulf Shores, Ala.

Harolyn Kay Williams, Pascagoula, Miss.

Pacific Council -- The Pacific Council includes members from the states of California, Washington, Oregon and Idaho. The 1997 appointees are:

Obligatory seats

James G. Caito*, Caito Fisheries, Inc., Fort Bragg, Calif.

Hans D. Radtke, Yachats, Ore.

At-large seats

Robert C. Fletcher*, President, Sportsfishing Association of California, San Diego

Robert D. Alverson, Executive Director, Fishing Vessel Owners' Assoc., Seattle

New seat (Tribal Indian Representative)

James E. Harp, Policy Representative for Natural Resources, Quinault Indian Nation, Taholah, Wash.

North Pacific Council -- The North Pacific Council includes members from the states of Alaska and Washington. The 1997 appointees are:

Obligatory seats

Richard B. Lauber*, Alaska Manager and Vice President, Pacific Seafood Processors Assoc., Juneau, Alaska

Joseph M. Kyle, Jr., Pacific Associates, Inc., Juneau, Alaska

David L. Fluharty*, Research Associate Professor School of Marine Affairs, College of Ocean and Fishery Sciences, University of Washington-Seattle

Western Pacific Council -- The Western Pacific Council includes members from the state of Hawaii, the American-flagged Pacific islands of American Samoa and Guam, and the Commonwealth of the Northern Marianas Islands. The 1997 appointees are:

Obligatory seats

Aitofele T. Sunia, Legislative Counsel, Legislature of American Samoa, Pago Pago, American Samoa

Judith P. Guthertz*, Professor of Public Administration and Legal Studies, Mangilao, Guam

James D. Cook*, Chair, Pacific Ocean Producers, Honolulu

NATIONAL MARINE FISHERIES SERVICE URGES STATE PARTICIPATION AS IT USES ENDANGERED SPECIES ACT TO PROTECT STEELHEAD IN FOUR WESTERN STATES

The National Marine Fisheries Service (NMFS) on August 11th announced Endangered Species Act (ESA) protection for five populations of Pacific coast steelhead, and urged western states to become active participants in finding ways to best manage the impacts of the listing.

"There is no dispute that these fish are in serious trouble," said Terry D. Garcia, Acting Assistant Secretary for Oceans and Atmosphere. "Our commitment to salmon and steelhead conservation is clear: we must restore these magnificent fish. The law requires it, common sense calls for it, and our own sense of what constitutes a strong economy and healthy ecosystem dictate it."

"Extinction is not an option," Garcia added. "Our interest is in restoring these fish by using the enormous flexibility of the Endangered Species Act to enlist a full array of options to get the job done. This is an opportunity to innovate and to explore new approaches. Whether and to what extent we seize these opportunities is the choice that we collectively face. We invite the states to seize this opportunity and to work with us to find creative solutions as we take the next steps required by the ESA process."

Listed as "endangered," meaning they are at risk of becoming extinct in the foreseeable future, are steelhead in the Upper Columbia River from the Yakima River upstream to Chief Joseph Dam, and in Southern California from the Santa Maria River to just south of Malibu Creek, north of Los Angeles.

Listed as "threatened," meaning they are likely to become endangered in the foreseeable future, are steelhead in the Snake River Basin (encompassing parts of Idaho, Washington, and Oregon), Central California Coast and the South-Central California Coast.

In addition, the fisheries service said it would defer for six months a decision on five other steelhead populations in Oregon, Washington and California because there is considerable scientific disagreement about the status of the stocks.

The fisheries service also announced it would extend the effective date of the listing to 60 days from August 11th, to give states time to make changes to bring them into agreement with the new listing.

Although an Endangered Species Act listing brings with it federal protection and a requirement that all other federal agencies avoid any activity that may further jeopardize the species, Mr. Garcia said today's action is "an open invitation to all four states to take advantage of the built-in flexibility of the federal species protection law."

Mr. Garcia added, "Last April, we took advantage of that flexibility when we embraced Oregon's salmon conservation plan, and refrained from listing coho along the state's central and northern coast."

In letters to the governors of Washington, Idaho, Oregon and California, sent by the fisheries service's Northwest and Southwest regional administrators, the agency urged a state-federal partnership in developing conservation plans to recover Pacific salmon and steelhead.

"These plans," the letters said, "will need to include hatchery reform measures to protect the diversity and integrity of naturally spawning populations, harvest constraints to ensure adequate spawning escapements, and habitat measures to protect and restore the watersheds that support Pacific salmon and steelhead."

Because there is no commercial fishing for steelhead, the most direct impact will likely be felt by sport fishers later this year, when some rules go into effect prohibiting intentionally catching listed steelhead. The agency said it is likely that fishermen who accidentally catch wild steelhead while fishing for other fish would simply be required to immediately return them unharmed to the water.

The letters to the governors cited a range of causes for steelhead decline—and, in fact, salmon decline in general—that would have to be addressed. They included timber harvest, agriculture, water diversions, hydropower operations, gravel mining, urbanization, hatchery practices and fishing.

Just one year ago, the fisheries service proposed all 10 steelhead populations for possible Endangered Species Act listings. Only 15 distinctive populations remain on the Pacific coast.

DUTCH HARBOR-UNALASKA IS NATION'S TOP FISHING PORT FOR 1996

Commercial fishermen brought 260 million kilograms of fish, worth $118.7 million, to the port of Dutch Harbor-Unalaska, Alaska, in 1996 — making it the port with both the highest volume and dollar value of fish in the country, NOAA announced on August 14th.

Officials at the National Marine Fisheries Service (NMFS) said the port of Dutch Harbor-Unalaska netted the top volume landings slot for the ninth straight year. However, landings there dropped 47 million kgs over 1995 figures due to declines in pollock landings. Empire-Venice and Cameron, La., the number two and three ports in 1994, regained those positions again in 1996 with landings of 142.2 and 141.7 million kgs, respectively.

Landings at Dutch Harbor-Unalaska were valued at $118 million, a decrease of $106 million from the record 1994 value of $224 million. New Bedford, Mass., was second in value, with landings worth $100.5 million, while the Kodiak, Alaska, catch value was third at $82.3 million in 1996.

The top 10 leading U.S. ports in volume of fish and shellfish (in millions of kilograms) landed in 1996 were in order: Dutch Harbor-Unalaska, AK (260); Empire-Venice, LA (142); Cameron, LA (141); Seattle, WA (108); Kodiak, AK (90); Intercoastal City, LA (89); Morgan City-Berwick, LA (72); Los Angeles, CA (70); Pascagoula-Moss Point, MS (66); and Ketchikan, AK (61).

The top 10 leading U.S. ports in value (millions of dollars) landed in 1996 were in order: Dutch Harbor-Unalaska, AK (118); New Bedford, MA (100); Kodiak, AK (82); Key West, FL (62); Brownsville-Port Isabel, TX (60); Honolulu, HI (50); Port Judith, RI (46); Empire-Venice, LA (45); Dulac-Chauvin, LA (45); and Portland, ME (38).

HEARINGS

JOINT HOUSE-SENATE HEARING ON COLUMBIA BASIN ECOSYSTEM MANAGEMENT PROJECT

The National Marine Fisheries Service (NMFS) participated in a May 15th joint Senate-House hearing on the Interior Columbia Basin Ecosystem Management Project. The Senate Committee on Energy and Natural Resources Subcommittee on Forests and Public Land Management (Chairman Larry Craig, R-ID) and the House Committee on Resources Subcommittee on Forests and Forest Health (Chairman Helen Chenoweth, R-ID) convened the hearing. NMFS Northwest Regional Administrator, William Stelle, along with five other members of the interagency project's Executive Steering committee, were witnesses. Regional U.S. Forest Service Executive Bob Williams delivered the Administration testimony.

The hearing on this controversial project was well attended by 12 Members of Congress (Full Committee Chairman Frank Murkowski (R-AK), Subcommittee Chairman Craig (R-ID), Senators Dirk Kempthorne (R-ID), Slade Gorton (R-WA), Ron Wyden (D-OR), Gordon Smith (R-OR), Craig Thomas (R-WY), and Conrad Burns (R-MT) and Representatives Chairman Chenoweth (R-ID), George Nethercutt (R-WA), Rick Hill (R-MT), and John Peterson (R-PA). Most Members had serious reservations with the project and asked very pointed questions repeatedly concerning 1) the estimated cost of the project (estimated to be between $125 and $135 million a year for implementation), and funding spent to date 2) the perceived lack of legal authority that would allow the agencies to undertake the project, 3) the perceived lack of input by communities, 4) adding an additional planning level without a benefit, and 5) the possibility that the information in the Draft Environmental Impact Statement (DEIS) was seriously flawed.

Questions directed to Will Stelle mainly involved 1) the differences between last summer's draft version of the DEIS and the present DEIS, the regulatory agencies' Endangered Species Act (ESA) concerns and changes, 2) how this project might prevent the listing of additional species under the ESA, or help with consultations on already listed species, and 3) how private lands would be affected by the project. In their answers, the Regional Executives noted the long-term benefits of the project.

NOAA TESTIFIES AT IDAHO HOUSE FIELD HEARING ON RESERVOIR DRAWDOWNS

The House Resources Committee Subcommittee on Water and Power Resources (John Doolittle, R-CA) held a May 31st field hearing in Lewiston, ID, on a proposal to drawdown some reservoirs on the Snake and Columbia rivers. Will Stelle, National Marine Fisheries Service (NMFS) Northwest Regional Administrator, testified for NOAA. This discussion was part of a larger decision that will be made in the next few years concerning whether to 1) drawdown reservoirs to provide additional water flow to aid salmon migration to the ocean, or 2) continue to truck or barge salmon to the ocean. Attending were Idaho Republican Representatives Helen Chenoweth and Michael Crapo. Both have been vocal opponents of the proposed draw_downs.

Mr. Stelle testified that the NMFS role on this and related issues is to work with the affected interests to develop the best set of informed options for the region based upon the best science, and to determine to what degree there may be a regional consensus on the course of actions for the long term in the Columbia River Basin. His comments addressed the background, rationale, current status, and desired future of the project from NMFS view. Mr. Stelle described other actions, investigations and decisions before the Region and the Congress to provide for the restoration of healthy and productive salmon runs in the Columbia River Basin.

There were two themes in the question and answer session. First, it was apparent that the Representatives had a good understanding of the complex issues of salmon transportation — the issues behind barging the salmon or drawing down dams to provide flow for the migrating fish. NMFS was concerned with salmon mortality associated with Idaho's steelhead plan, which opted to leave all the fish in the river and not transport them. At this hearing, however, it was clear that the Representatives understood that 1) NMFS *does* have the science available to help these fish and 2) the barges *are* available to transport the fish. The second theme was a reality check concerning drawdowns. The Representatives asked Mr. Stelle whether he really believed in their words " that a collective decision would be made to wreck the economy of an entire region for speculative benefits for fish." This questioning pointed to the option of drawing down the river to a natural flow level. Mr. Stelle explained that NMFS has been very clear with regional interests that all NMFS can do is recommend what's most likely to recover the fish, based on the best available science. It is NMFS' job to supply the most likely outcome for a given scenario. Authorizing and funding a dam draw down would be up to Congress. It will be up to the Congress, with input from the region, to authorize and fund the ultimate decision.

COMPLETE TEXTS OF WRITTEN TESTIMONIES OF NOAA OFFICIALS ARE NOW AVAILABLE ON THE NOAA LEGISLATION AFFAIRS HOMEPAGE. THE TESTIMONIES ARE USUALLY POSTED WITHIN ONE BUSINESS DAY OF DELIVERY AND MAY BE REPRINTED, EXCERPTED OR FORWARDED, ACCORDING TO THE NEEDS OF THE RECIPIENT. THE HOME PAGE IS *HTTP://WWW.NOAA.GOV//NOAA-OLA*

DR. BAKER TESTIFIES BEFORE HOUSE SUBCOMMITTEE ON LICENSING OF REMOTE SYSTEMS

Dr. D. James Baker, Under Secretary for Oceans and Atmosphere, testified on June 4th before the House Science Committee's Space and Aeronautics Subcommittee. Chairman Dana Rohrabacher (R-CA) and Ranking Democratic Member Rep. Bud Cramer (D-AL) convened the hearing to receive testimony about the licensing of commercial remote sensing systems. The Subcommittee has prepared legislation (HR 1702) to streamline the process and promote commercialization of space. HR 1702 was introduced on May 22nd by full Committee Chairman James Sensenbrenner (R-WI), Ranking Democratic Member Rep. George Brown (D-CA), and Reps. Rohrabacher, Cramer and Rep. Sheila Jackson-Lee (D-TX). Cheryl Roby from the Defense Department also testified, as well as Mike Sweik, Executive Director of the Global Positioning System Industry Council. The State Department declined an invitation to testify. Chairman Rohrabacher disapprovingly called attention to the absence of a State Department

witness, noting that the absence must imply no State objections to the subcommittee legislation.

In his comments, Dr. Baker said " the technology has emerged to provide imagery data at resolutions as low as one meter through commercial sources. Over the next few years, systems capable of providing such data will also be flown by foreign nations or foreign commercial entities. The Department believes it is in the best interest of the United States that we license the operations of such systems, rather than have them licensed by and operated in foreign nations. This will give the United States the needed control over these systems to protect our national security and economic interests, promote wide spread access to the data from them, maintain the U.S. dominance in this technology, and establish our leadership in the global commercial imagery market."

Although Dr. Baker could not comment on the specific legislation, he did state that since Presidential Decision Directive 23 (PDD-23) was issued in March of 1994, five of six applications for licenses have been granted within the 120 day time period for review.

OCEAN AND COASTAL RESOURCES MANAGEMENT DIRECTOR TESTIFIES BEFORE HOUSE PANEL

Jeff Benoit, Director of Ocean and Coastal Resource Management testified on July 9th before the House Subcommittee on Water Resources and Environment (Chairman Sherwood Boehlert, R-NY) of the Transportation and Infrastructure Committee. The purpose of the hearing was to discuss dumping and dredged material disposal issues. Mr. Benoit provided the subcommittee with several examples of NOAA program authorities and activities under the Coastal Zone Management Act (CZMA) that intersect with ocean dumping and dredged material disposal issues. He pointed to section 307 of CZMA which provides coastal states with Federally-approved Coastal Zone Management program "consistency authority" which he described as a "powerful tool." Mr. Benoit provided two examples:

—Massachusetts Bay Disposal Site. The State of Massachusetts's coastal management program reviewed the designation, 35 kilometers off Boston. Working closely with the Environmental Protection Agency, the state was able to move along the approval process and protect valuable marine resources;

—New Jersey and the Mud Dump Site. The site offshore New Jersey is used by the New York-New Jersey Port Authority to dispose of dioxin laden sediments. Federal consistency authority enabled the State of New Jersey to work with the Army Corps of Engineers, the Port Authority, and private parties on the disposal of the contaminated dredged material.

"…The CZMA facilitates dialogue and consultation among the various Federal agencies, coastal states, local communities and other interested groups and organizations who are all participants in the debate over dredging and ocean dumping. This mechanism helps alleviate unnecessary delays, fosters the development of creative solutions, improves coordination and ultimately promotes balance and environmentally sound decision making," Mr. Benoit said.

Also cited as the role of NOAA's National Estuarine Research Reserve System (NERRS) in detecting, observing and evaluating the ecological effects of dredging. For example, at the Apalachicola, FL, NERR, a two hectare dredged material island was used to protect threatened bird species that had been exposed to dangerous vehicular traffic on a nearby causeway. At the Elkhorn Slough in California, NERR staff worked to reduce contaminated runoff from an adjacent strawberry farm.

HOUSE SUBCOMMITTEE HEARING FOCUSES ON FISHERIES SERVICE NORTHWEST MANAGEMENT

On July 24th, the House Resources Subcommittee on Fisheries Conservation, Wildlife, and Oceans (Chairman James Saxton, R-NJ) held a hearing on the decision making of the National Marine Fisheries Service (NMFS) Northwest Region. Three Members were in attendance -- Chairman Saxton (R-NJ), Rep. Michael Crapo (R-ID), and Rep. Neil Abercrombie (D-HI), Ranking Subcommittee Democrat. NMFS was not invited to testify on the issues, but appeared at a follow-up hearing on August 15th in Boise, Idaho.

The hearing focused on three big picture issues: 1) how NMFS is operating in the Northwest, and if the interested parties in that region are getting the cooperation that they need as we move to salmon recovery; 2) what type of decision making the Northwest should have regarding the power production and energy restructuring debate; and 3) what is the federal water rights policy is regarding state sovereignty and the applications of water in the states.

Rep. Crapo, who requested the hearing, cited what he described as the negative impacts of salmon recovery efforts in the short and long term on water users, including irrigators. the Idaho Republican pointed to the perception that NMFS was not using consensus decision making in the Northwest, and has excessive oversight over land and water use policies in the name of saving endangered salmon. All witnesses supported Crapo's views.

Rep. Abercrombie, in contrast, argued that the U.S. Congress could act as an objective broker and make decisions that could not be made in the region. Since the salmon are a national treasure, he saw this approach as justifiable. The Hawaii Democrat also reasserted his support for indigenous peoples who depend on an abundant supply of salmon for their economic survival. To better understand the debate, Chairman Saxton asked technical questions on pros and cons of barging fish or leaving them in the river to migrate. The New Jersey Republican also expressed his sympathy for local interests faced with the difficulties of dealing with Federal agencies.

NORTHWEST REGIONAL FISHERIES DIRECTOR SAYS NOAA WORKING WITH JUSTICE TO IMPROVE SALMON MANAGEMENT PROCEDURES

At the follow up hearing on August 15, in Boise, Idaho, National Marine Fisheries Service (NMFS) Northwest Regional Administrator, Will Stelle, was asked to respond to the concerns raised in the June 26th hearing, as well as those raised by witnesses testifying earlier in the day. The hearing was convened by the House Resources Subcommittee on Fisher-

ies Conservation, Wildlife and Oceans, and Rep Mike Crapo (R-ID) oversaw the hearing. Mr. Stelle's testimony focused on NMFSs three basic principles that underscore the Agency's approach to the Columbia River salmon recovery effort. First, and most importantly, is that NOAA is dedicated to the principle that its decision making under the Endangered Species Act must be based upon the best scientific information available.

Mr. Stelle stated that "Good science is the compass that will help us chart our course in this complicated and controversial arena. It is very important to understand the significance of this principle in practice because it means that science must prevail over the popularity on any given matter."

The second principle identifed by Will Stelle was that "NOAA is committed to working with all interested governments in the Columbia River Basin to develop the best set of informed options for the region for "fixing" the hydropower system over the long term. "NMFS has devoted hundreds of hours to this collaborative effort --as have state and tribal representatives-- and we have made good progress." Finally, Mr. Stelle stated that NMFS remains absolutely open to techniques and mechanisms to improve the decision making process and indicated that NMFS is currently working with the Department of Justice on a proposal to improve this process, which includes a more effective method to resolve disputes that will inevitably arise.

Rep.Crapo reiterated his concern that NMFS was not working cooperatively with the other parties in the region, expressed frustration with a perceived lack of accountability in current basin-wide decision making process, and questioned the scientific basis for many of NMFS decisions. The post-testimony dialogue examined NMFS science, the need for water held in Idaho reservoirs to improve river flows for salmon in-river migration, the barging of smolts around the dams during their downstream migration, and the operation of the hydrosystem and its impacts on the recovery effort.

In anticipation of the scheduled 1999 deadline for making a final determination on the salmon recovery plan the focus shifted to the need for a comprehensive decision making process built on regional relationships and conservation agreements, which clearly identifies the parties responsible for making critical decisions and the biological objectives they intend to achieve. This would allow for meaningful public input and provides a mechanism to resolve inevitable disputes. Progress towards this process is ongoing and there is confidence that a final decison can be reached by the scheduled deadline of 1999.

FUTURE HEARINGS

NOAA INVITED TO TESTIFY AT HOUSE HEARING ON PREPARING FOR EL NINO EVENTS

The HouseScience Energy and Environment Subcommittee (Chairman Ken Calvert, R-CA) has scheduled a September 11th hearing on "Preparing for El Nino." A subcommittee letter said that "the hearing will examine the state of science regarding our understanding of El Nino events, our ability to forecast them, their effects on climate in the United States, and ways which state, local, and federal agencies and businesses can use these forecasts in planning and mitigation." Michael Hall, director of the Office of Global Programs, is expected to testify for NOAA.

NOAA EXPECTED TO TESTIFY AT SENATE COMMERCE GLOBAL WARMING HEARING

The Senate Commerce, Science, and Transportation Committee (Chairman John McCain, R-AZ) has tentatively scheduled a September hearing on the science of global warming. NOAA is expected to testify as part of a government panel. The committee wants to learn about the science behind global warming, what we've learned, where we go from here and where funding is being spent on this subject.

On July 25th, by an overwhelming 95-0 margin the Senate passed SRes 98, a climate change resolution (SRes 98) introduced by Sen. Robert Byrd (D-W.Va.). SRes 98 calls on the United States not to sign the planned December Kyoto climate change agreement unless developing countries are equally incorporated in any plan to reduce greenhouse gases.

The passage of the Bryd measure comes just as the frequency of hearings on global warming have begun to accelerate. With other developed nations pushing for a solid commitment from President Clinton to reduce greenhouse gases, mostly carbon dioxide (CO2), concern about the possibility of a resulting economic advantage by developing countries has essentially dominated the debate.

During the July 17th hearing of the Senate Environment and Public Works Committee (Chairman John Chafee, R-RI), Under Secetary of State for Global Affairs Tim Wirth said the plan is to sign the treaty with China and similar nations agreeing to a "no regrets package." China would then have to take on a variety of conservation measures, remove subsidies, adopt market policies for emissions and produce an annual emissions inventory. Also, there would be a written commitment to have developing nations, gradually over time, phase into the binding portion of the treaty, Mr. Wirth said. China will not move toward a commitment unless the United States and other developed nations move first, he said.

LEGISLATION INTRODUCED

Rep. James Saxton (R-NJ), on May 16th, HR 1658 entitled "Atlantic Striped Bass Conservation Act Amendments of 1997."

Rep. James Sensenbrenner (R-WI), on May 22nd, HR 1702 entitled "Commercial Space Act of 1997."

Rep. Bud Shuster (R-PA), on June 10th, HR 1838 entitled Coast Guard Authorization Act for fiscal years 1998 and 1999."

Rep. James Saxton (R-NJ), on June 10th, HR 1855 to establish a moratorium on large fishing vessels in Atlantic herring and mackerel fisheries.

Rep. Helen Chenoweth (R-ID), on June 10th, HR 1842 to

terminate further development and implementation of the American Heritage Rivers Initiative.

Sen. John McCain (R-AZ), on June 11th, S 877 entitled " NOAA Corps Disestablishment Act."

Sen. Robert Byrd (D-WV), on June 12th, S Res 98 resolution expressing the sense of the Senate regarding the conditions for the United States becoming a signatory to any international agreement on greenhouse gas emissions under the United Nations Framework Convention on Climate Change.

Sen. Dirk Kempthorne (R-ID), on June 12th, S 901 entitled "Endangered Species Habitat Protection Act of 1997"

Sen. Strom Thurmond (R-SC), on June 17th, S 924 entitled "National Defense Authorization Act for Fiscal Year 1998."

Sen. Strom Thurmond (R-SC), on June 18th, S 936 entitled " National Defense Authorization Act for Fiscal Year 1998."

Rep. Wayne Gilchrest (R-MD), on June 25th, HConRes 106 concurrent resolution expressing the sense of Congress regarding the negotiation of an international climate change agreement.

Sen. Frank Lautenberg (D-NJ), on June 26th, S 971 entitled "Beaches Environmental Assessment, Closure, and Health Act of 1997."

Rep. Frank Pallone (D-NJ), on June 26th, HR 2094 entitled " Beaches Environmental Assessment, Closure, and Health Act of 1997."

Rep. Paul Gillmor (R-OH), on June 26th, HR 2086 to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to limit the portion of the Superfund expended for administration, oversight, support, studies, design, investigations, monitoring, assessment, and evaluation, and enforcement activities.

Sen. Judd Gregg (R-NH), on July 16th, S 1022 making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending Sept. 30, 1998, and for other purposes.

Sen. Jack Reed (D-RI), on July 17th, S 1035 to establish a moratorium on large fishing vessels in Atlantic herring and mackerel fisheries.

Rep. Bud Shuster (R-PA), on July 21st, HR 2204 entitled "Coast Guard Authorization Act of 1997."

Rep. James Saxton (R-NJ), on July 23rd, HR 2233 entitled "Coral Reef Conservation Act of 1997."

Rep. Rick Lazio (R-NY), on July 23rd, HR 2227 to amend the National Flood Insurance Act of 1968 to reauthorize the national flood insurance program, and for other purposes.

Sen. Frank Murkowski (R-AK), on July 24th, S 1064 entitled "Glacier Bay Management and Protection Act of 1997."

Rep. Harold Rogers (R-KY) , on July 25th, HR 2267 making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for thefiscal year ending Sept. 30, 1998, and for other purposes.

Rep. Don Young (R-AK), on July 25th, HConRes 124 concurrent resolution expressing the sense of the Congress regarding acts of illegal aggression by Canadian fishermen with respect to the Pacific salmon fisheries, and for other purposes.

Sen. Daniel Akaka (D-HI), on July 29th, S 1080 entitled "National Aquaculture Development, Research, and Promotion Act of 1997."

Rep. James Saxton (R-NJ), on July 29th, HCon.Res 131 concurrent resolution expressing the sense of Congress regarding the ocean.

Sen. Daniel Patrick Moynihan (D-NY), on July 31st, S 1097 entitled "Acid Deposition Control Act."

Rep. Gerald Solomon (R-NY), on July 31st, HR 2365 entitled "Acid Deposition Control Act."

Rep. Joe Knollenberg (R-MI), on July 31st, HRes 211 resolution expressing the sense of the House of Representatives regarding the conditions for the United States becoming a signatory to any international agreement on greenhouse gas emissions under the U.N. Framework Convention on Climate Change.

Rep. Nita Lowey (D-NY), on August 1st, HR 2374 to amend the Federal Water Pollution Control Act to provide special funding to states for implementation of national estuary conservation and management plans, and for other purposes.

Rep. James Saxton (R-NJ), on August 1st, HR 2376 to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act.

(Continued from page 5)

HOUSE ADOPTS REPORT RECOMMENDING STUDY OF POSSIBLE TRANSFER OF DEFENSE DOPPLER WEATHER RADARS TO NATIONAL WEATHER SERVICE

tion Act of FY '98 and '99 (HR 1119), the House on June 25th adopted report language (HRpt. 105-132) that recommends that the Secretary of Defense enlist the National Research Council of the National Academy of Sciences to conduct a comprehensive study of Defense Department ((DOD) Next Generation Radars (NEXRADs). The study is to compare DOD availability and performance as compared with the National Weather Service (NWS) NEXRADs, and to include the feasibility and benefits of transferring all DOD NEXRADS to the Department of Commerce. The bill passed the House 304-120. The language was inserted into the National Security Committee (Chairman Floyd Spence, R-SC) Report by Rep. Mac Thornberry (R-TX). The Report also urged the Secretary of Defense to consult with the Administrator of NOAA on several suggested DOD NEXRAD operational changes that "will provide the same operational standards for DOD NEXRADs as the NWS operated NEXRADs…. "The committee recognizes the importance of fully operational NEXRADs for NWS forecasters to accurately monitor, forecast, and issue severe weather warnings."

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